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Held at Headquarters, New York,
on Friday, 24 January 1997, at 10 a.m.

Chairperson: Ms. KHAN

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The meeting was called to order at 10.10 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Third periodic report of Denmark (CEDAW/C/DEN/3)

1. At the invitation of the Chairperson, Ms. Galamba and Ms. Jakobsen (Denmark) took places at the Committee table.

2. Ms. GALAMBA (Denmark) said that the third periodic report had been translated into Danish, as had the Convention on the Elimination of all Forms of Discrimination against Women, and published by Danish women's organizations. The fourth periodic report had already been submitted.

3. Since the first Danish report, understanding of gender equality had evolved from a question of establishing adequate legislation to bringing about a change in attitudes through communication. The focus had changed from eradication of discrimination to the acknowledgement of women as indispensable partners in economic and social development on equal terms with men. Gender equality, at first a women's issue only, now reflected a broader desire to establish a positive atmosphere of cooperation between women and men in order to attain a just and fair society where all were treated equally.

4. Action subsequent to the preparation of the third periodic report had concentrated on the Fourth World Conference on Women and the Beijing Platform for Action. Specifically, the Government had established an ad hoc committee to suggest priorities and consult institutions in other countries to learn from their experience. The Equal Status Council was monitoring implementation of the Platform in government institutions. The Council operated a consultancy service for the labour market in the public and private sectors. A report on the Fourth World Conference, together with the Platform for Action, had also been published.

5. In addition, since May 1995 county authorities had been required to report on gender equality issues among their employees. Supplementary child-care payments had been introduced at the county level in the hope of promoting participation by young women in political work.

6. There was a proposal in Parliament on conditions of service of female recruits in the army. Changes in family law had been adopted relating to shared custody and improved visiting rights for unmarried fathers.

7. New parental leave provisions had been adopted in 1993, but few men took advantage of them. Accordingly, the Government was exploring ways to motivate more men to use parental leave schemes with the aim of creating equal child-care and career opportunities for both parents. Maternity leave on full pay - recently extended to female workers in the agricultural and pre-school sectors - would be an important issue in the coming months for those groups without such an entitlement.

8. Responding to questions raised by the members of the Committee (CEDAW/C/1997/CRP.1/Add.2), she said that Denmark had implemented European Union directives relating to gender equality. The directive on parental leave had not yet been implemented, however, since it had only recently been adopted, the free movement of workers within the European Union created a need for coordination in the pursuit of equal opportunities. Nonetheless, the changes introduced by the Maastricht Treaty had not required the introduction of new initiatives on equal rights in Denmark.

9. The report by the Equal Status Council on government action for equality in the public sector had concluded that equality had been established. Nevertheless, the Council had recommended the continuation of action plans to better reconcile family and working life and promote more balanced gender representation at senior levels, to study management culture from a gender perspective, to increase mobility through time-limited high-level appointments, to conduct research into parental leave, to provide for locally negotiated additional pay, to establish a national mainstreaming project and to improve the representation of women in research and industry, especially at senior levels.

10. Regarding Equality Committees in government ministries, the current tendency was to deal with equality issues in a liaison committee; the exact forum varied from ministry to ministry. Equality committees had been seen only as a temporary means of promoting equality. The Equal Status Council report was due to be considered by Parliament in the spring of 1997.

11. The acts on equality of men and women in appointing members of public committees and civil service provided that the composition of management should reflect a balance between men and women. Periodic reports were submitted to the Prime Minister's Office. Women occupied 28 per cent of all public committee positions.

12. There were 29 equality advisers in regional employment offices, which was considered to be enough. The Equal Status Council had recommended the establishment of equality advisers in education and research.

13. The 1953 Constitution, which embodied the principle of equal treatment of men and women, together with various laws enacted since then, imposed a duty on the private as well as public sector to ensure respect for equality.

14. Regarding the position of women in Greenland, she said that the Convention was being translated into Greenlandic and would be debated in the Greenland Parliament. The Greenland Equality Committee emphasized discrimination issues through general debate in the media. No other legislative action had so far been taken to improve the status of women in Greenland.

15. New legislation providing for equal treatment of men and women had been introduced in the Faeroes Islands, similar to legislation in other Nordic countries.

16. A special adviser for international equality affairs had been appointed in December 1991, and in 1994 a separate department for international equality affairs had been established. Primary responsibilities were coordination on gender issues with the United Nations and other international organizations,

gender policy in Danish development aid and gender training in the Ministry of Foreign Affairs.

17. Affirmative action measures could be taken to promote gender balance, but there was no automatic preferential treatment of women. Decisions were taken as part of an overall planning for equality. A job training course established by the Public Employment Service in 1995 for unemployed women had now been extended to men, although two thirds of the participants were still women. The Equal Status Council supported similar courses at the regional level. One current initiative, aimed at unemployed women over 50 years of age, provided training in new technology and elementary subjects.

18. Gender-based violence endangered women's health and was not accepted. Information programmes had been chosen as the most effective preventive measure, under the aegis of the Council for the Prevention of Crime. Publications had been distributed.

19. While there was no special legislation on domestic violence, the relevant issues were covered under the Danish Criminal Code, and new steps were in preparation. Crisis-centre shelters were available for women who were victims of domestic violence; immigrant women were also received at them, and did not have separate shelters.

20. The incidence of rape was decreasing significantly as a result of changing attitudes, particularly among younger males. The increased incidence in the 1970s and 1980s seemed to be attributable to higher reporting.

21. No specific courts were assigned to deal with domestic violence. The number of women going to crisis centres was increasing, a development that was being monitored closely. Initiatives on behalf of women prostitutes and other groups suffering abuse were being undertaken by the Ministry of Social Affairs. Statistics relating to domestic violence were inadequate, and the number of cases was probably under-reported.

22. There were no specific programmes to sensitize police, judges and judicial officers to violence against women, although public awareness programmes had been carried out. The freedom of the press was guaranteed in the Constitution. It could thus not be used as an instrument for specific issues. Nevertheless the media did address the problem of violence against women.

23. Incest was forbidden under the Criminal Code, and the incidence reported had fallen from 124 cases (boys and girls) in 1991, to 55 cases in 1995, as a result of more intensive scrutiny by the authorities.

24. While non-governmental organizations were not able to act on behalf of the victims of violence and sexual abuse in criminal and civil actions, they provided information concerning procedure and help through lawyers.

25. The Government was very concerned to promote the integration and rights of immigrant women and had put forward proposals to improve the situation of immigrant women who were victims of domestic violence. Currently there was no provision to prevent victims whose relationships had ended from being deported. In that regard the Government was considering changes in the regulations

governing residence permits. Action was also being taken to promote the integration of foreign women in Denmark, including elimination of job market barriers and improved access to social services.

26. Legislation on the status of refugees covered persecution on the basis of gender with regard to such acts as circumcision. The Government saw no need to change the law. There had been no application for refugee status on the ground of gender persecution.

27. The Equal Status Council had initiated a project to shed light on the relationship between working life and family life. Public day-care facilities were available throughout the country under the responsibility of local authorities. Parents with small children were entitled to their normal salary on the first day of a child's illness, and parents employed in the public sector were entitled to child-care days. Pursuant to a European Union directive, pregnant women were now entitled to paid leave in connection with prenatal examinations.

28. Increasing use was being made of flexible working hours to harmonize family and working life. Part-time jobs were widespread in Denmark, with employees having the same rights as full-time employees, but on a prorated basis. Employees wishing to take a break from their working life for family reasons had various opportunities for parental leave. In 1995 almost 53,000 parents, 90 per cent of them women, had been granted leave for child care. The Government was considering ways to encourage fathers to make use of such provisions.

29. Victims of violence and sexual abuse had a right to medical and psychological assistance, although resources for psychological treatment were often insufficient. Difficulties could arise in cases of rape if the perpetrator was not prosecuted, since the victim could then not receive psychological assistance. Denmark had distributed resources to local councils to subsidize up to 12 psychological treatment sessions for victims of various crimes including sexual assault; the programme covered treatments for delayed psychological reactions as well.

30. Prostitution was not illegal per se in Denmark, but luring any person into prostitution and living on the earnings of prostitution were punishable offences under the Criminal Code. No sanitary or health measures were specifically reserved for prostitutes, although special contact centres had been set up for them. Generally speaking, Danish society viewed prostitution as a social problem rather than morally condemning it. While private organizations primarily offered support to female prostitutes, there was a need for more research in the field, and the Ministry of Social Affairs had set up an experimental centre to provide support for female and male prostitutes and to collect information about prostitution. Prostitution was practised by both women and men; the specific sexual percentage were unknown, but women constituted the majority. No statistical data on prostitution were available, but it was assumed that the number of foreigners involved had increased, that mainly African and Asian nationalities were represented and that women from Greenland did not constitute the largest group among prostitutes. Some research was being done on ways to ensure greater participation by prostitutes in the social welfare system, and research had also indicated that health problems,

including the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS), were not widespread among prostitutes.

31. No specific data existed on violence against or rape of prostitutes; female prostitutes were protected in the same way as other women from violence and sexual assault. Police and judges did not appear to have any specific attitudes toward female prostitute victims of violence. While trafficking in women was not specifically a criminal offence, it could be considered smuggling of persons under the Danish Alien Act, or pimping or fraud under the Criminal Code. Attention to the issue had recently increased in Denmark, but police investigations had rarely resulted in formal charges against those accused in such cases.

32. Awareness of the phenomenon of "sex tourism" had also recently increased, but no legal basis yet existed to prosecute Danish nationals involved in the sexual abuse of minors abroad. There were no measures specifically designed to protect "mail-order brides"; they were protected by the same rules as other foreign women.

33. Following parliamentary elections in 1994, roughly one third of the ministers in the national Government were women, with similar overall representation in Parliament. After a recent government reorganization, one quarter of the ministers were women. Some progress had been made in women's election to local governments as well, with their current representational share standing at roughly one third overall. Women had been appointed to only 9.5 per cent of the highest political posts, however. Recent amendments to government procedures at the country level, such as a stipend for mothers with young children, were expected to encourage more women to participate in political work. Debate continued on gender quotas for candidates of political parties, with some parties participating and others withdrawing from the system. Nearly half the Danish representatives to the European Parliament were women, however, as was the Danish representative to the European Commission.

34. Non-governmental organizations were involved in setting the official equal-status agenda concerning women in decision-making, and in implementing Government equal-opportunity policies. Several such organizations were represented on the boards of the main equality institutions, where they acted both as watchdogs of public initiatives and as active participants in the process. Most information concerning women in decision-making was disseminated by political parties and non-governmental organizations.

35. Many associations and groups were working with gender issues: the Danish National Council of Women and the Danish Women's Society were most actively involved in influencing the appointment of women to public committees and encouraging and preparing them to participate in politics, as well as to assume decision-making positions in the public and private sectors. The Danish Government had most recently allocated DKr 400,000 to the National Council of Women, which also received a share of the state football pool receipts amounting to roughly DKr 500,000. Other non-governmental organizations received financial support from various funds. To qualify for Government support, such organizations had to be working for equality between women and men.

36. The results of a limited pilot study conducted by the National Association of Local Authorities to identify barriers to equality in local government indicated, inter alia, that male politicians' idea of equality meant that one third of those serving in Government were women, that younger women would be more attracted to political work if it were less time-consuming and that women were more likely than men to engaged in unpaid work. Another study conducted among managers in municipalities revealed differences of priority and difficulties of communication among male and female managers and that criteria for success in those organizations were based on male standards of value.

37. Ms. JAKOBSEN (Denmark) said that women still had difficulty moving to the highest levels in the national administration and public service. However, in the previous five years a substantial number of women had been newly employed as managers in municipalities and in the public sector at the local level. There were still very few women at the top levels of management in the central Government organs, although some divisions and ministries had shown an increase in the number of women in positions of responsibility at the upper levels. Factors explaining the low participation of women in top management in the public sector included the relatively short history of women's participation in the system overall, their exclusion by men in the male-dominated culture and their own lack of self-confidence in their leadership capabilities.

38. While more women had recently been applying for and getting middle and upper-level positions in the State administration, special measures were also being taken in ministries and public institutions in order to help them break through the "glass ceiling" to top management. Such measures included special courses and management training, and appointment and recruitment procedures more inclusive of women. Moreover, a variety of courses and conferences were being offered to prepare and motivate women for managerial jobs. Nevertheless, more needed to be done to break down the tendency of women to be excluded or to exclude themselves from consideration for leading positions.

39. Women were more numerous in decision-making posts in such sectors as education, social affairs, culture and health but were far less numerous in sectors dealing with the economy, technology and the natural sciences. That pattern was repeated at the local level as well. In order to encourage women to choose from a broader range of educational and career opportunities, measures had been taken to include subjects traditionally considered more female-oriented in the general curriculum. More support was also being offered by women's groups to female managers in male-oriented sectors in order to cultivate mentors and positive role models for younger women.

40. The Ministry of Justice had a relatively high proportion of female managers compared with other ministries, especially at the higher levels. In 1995, women accounted for 23.7 per cent of judges in the courts of justice and 44.7 per cent of the lower-level judges; two of the 14 judges on the Supreme Court were women, and 44.5 per cent of the prosecutors were women. Those figures reflected a steady increase in the number of women in the judiciary. Moreover, the majority of students admitted to legal studies in Danish universities were women, and more of those women chose to become judicial assistants, and therefore eventually judges, than chose to become barristers after graduation.

41. A total of 217 women, of whom 153 were soldiers, had been involved in peacekeeping in the Balkans and other areas of conflict. Following the completion of the study of women pilots and stress, the Ministry of Defence abandoned the last exclusion of women from the defence forces by allowing them to apply for fighter-pilot positions. The number of female bishops in the National Evangelical Lutheran Church had risen from zero in 1993 to two in 1996, out of a total of 12, while the number of female rural deans in the Church had risen from three in 1993 to 10 in 1996, out of a total of 109.

42. Danish women were showing enough interest in joining the Foreign Service so that measures to encourage female candidates were not necessary. Women represented 27 per cent of the Danish diplomatic corps, although they occupied only 5 per cent of its management positions. Women were employed in all types of positions in the major personnel categories and predominated at the Executive Officer level. No information was available from the Ministry of Foreign Affairs on the number of Danish citizens of either gender employed in intergovernmental, international or regional bodies and organizations.

43. Ms. GALAMBA (Denmark) said that slightly less than half of the 69,771 children born in Denmark in 1995 were born outside marriage; the number born outside marriage to non-Danish women was unknown. A child born within marriage between a non-Danish woman and a Danish man (or between a Danish woman and a non-Danish man) obtained Danish citizenship at birth. A child who had not acquired Danish citizenship by birth or by the parents' subsequent marriage was subject to the legal status of the person having parental custody. The child could therefore obtain an independent residence permit when so entitled by virtue of the length of his or her stay in Denmark. A non-Danish child from any foreign country who was formally adopted by a Danish married couple acquired Danish citizenship once the parents had made a statement to the relevant authorities before that child turned seven years old. Until the child obtained Danish citizenship, he or she was granted a residence permit under the relevant section of the Aliens Act.

44. With regard to the vulnerability of immigrant women to expulsion, she said that permanent residence permits could be revoked during the first three years of the holder's legal residence in Denmark if the grounds that led to the granting of the permit no longer obtained or if the permit were found to have been obtained by fraud. If an immigrant woman (or man) obtained a residence permit for the purpose of marriage to a permanent resident of Denmark, that permit could be revoked if the marriage or cohabitation ended during the first three years. The regulations of the Aliens Act made no distinction between the sexes; hence immigrant and refugee men and women had the same legal status in that respect.

45. The Danish Parliament had completed a National Action Plan to improve conditions for women's studies in 1992. The associated evaluation report recommended that the Plan should be followed up and called for the systematic collection of statistics on gender distribution at institutions of higher education. Three of the five Danish universities had subsequently made it possible to include women's and gender-specific studies modules in their Bachelor of Arts curricula, and such studies had also come to be included in open university programmes for people working full- or part-time. Specific courses in women's and gender research were offered in all Danish universities

and women's centres, and the first Danish Ph.D. programme in such studies had been set up in 1994. Moreover, studies were under way regarding the eventual establishment of full bachelor or graduate-level university programmes in women's and gender research, as well as of an elective subject on "Gender and culture" at the high school level. No other specific women's studies/gender research programmes were available at other levels of education, but information on equality questions had been mainstreamed in the various curricula.

46. In the educational sector, girls accounted for 57 per cent of upper secondary students, but the majority of those enrolled in vocational training programmes were boys. Since 1981, the proportion of women enrolled in institutions of higher learning had risen from 39 per cent to 47 per cent. In some fields, such as health education and the humanities, women outnumbered men. Much still remained to be done, however, to break down sex-segregated education choices and the Government had stressed that primary schools had a specific responsibility to prepare both girls and boys for a broader choice of education and jobs.

47. Women filled only 17 per cent of the academic posts in higher education, mainly in temporary positions and in the areas of the humanities and medicine. The Equal Status Council had therefore called upon the Ministry of Education to require universities and other institutions of higher learning to draw up action plans to create equal opportunities for women and to integrate women's studies into the research system. Some of the Council's recommendations had been implemented by the Ministry of Education, and in recent years the number of female doctoral students had been increasing.

48. On the subject of gender equality, she said that over the years it had become clear that equality had to be integrated into teaching from the very beginning and in all fields of education. Recent legislation on primary schooling contained specific reference to the concept of "equity". Equal opportunities and equity were also part of the objectives and curricula of secondary schools. While human rights education was not an obligatory part of the national curriculum, the concept of the equal worth of human beings was among the basic values taught at the primary school level.

49. The inquiry by the Council on Research Policy had found that, in 1990, only 17 per cent of the assistant, associate and full professors at all Danish institutions of higher education were women, although there were substantial institutional variations to that picture. The profile of faculty in higher education was part of the sex-segregated job market in Denmark. The mechanisms of gender differentiation involved were similar to those found in many other countries.

50. Turning to the questions posed under article 11 of the Convention concerning the elimination of discrimination against women in the field of employment, she reported that there was no difference in the unemployment allowance available to men and women, and unemployed women did not receive any special additional support.

51. With regard to the training of women workers, she noted that adult vocational schemes had been tailored to the needs of specific categories of participants, including unemployed women. The one-year job training course, in

particular, sought to provide participants, most of whom were women, with skills required for employment in the industrial sector. The Public Employment Service also arranged courses in such areas as retail trade, in which large numbers of women were employed.

52. The wage gap between male and female workers remained a serious problem. A number of initiatives had been taken by the Government and by non-governmental organizations to reduce the disparity from its current level of 25 per cent. The Equal Status Council, for example, had published information on gender and wages and had organized a conference on the gap between the pensions of men and women. The main strategy had been to coordinate the action being taken in all fields by the public employment system and to supplement it with special projects aimed at setting new goals and developing new tools to be used in the effort to achieve equal opportunities.

53. As for the length of the work week, the period had not been shortened since the submission of Denmark's third periodic report and remained at 37 hours. Flexible working hours agreed on individually between employers and employees were increasingly utilized as a means of promoting family life. Tests had also been initiated in some public institutions and private enterprises on distance or home work, but it was too early to say whether such arrangements would be advantageous to the parties concerned. Most Government ministries in Denmark had introduced flexible working hours, and the Ministry of Finance was currently preparing a project on distance work.

54. There was still no written definition in European Union or national legislation of the concept of equal pay for work of equal value. The Ministry of Labour, in liaison with the Equal Status Council, had launched a project on equal remuneration, aimed at developing wage statistics and identifying the factors that caused differences in wages. The results of that project were not yet available.

55. Even though the rate of participation of Danish women in the workforce was very high, gender segregation still prevailed in the job market. It had proven to be very difficult to change women's attitudes and attract them to those vocations traditionally dominated by men. The Equal Status Council had issued a publication that focused on men and women in jobs normally occupied by the other sex and was planning a conference in May 1997 targeted at the private sector and focusing on men and their employment culture.

56. The number of women in part-time jobs had been falling in recent years, with older women and women under the age of 20 accounting for most of that number.

57. While the Equal Opportunities Act did not specifically address the issue of sexual harassment, such harassment was covered by the prohibition against sex discrimination in working conditions. Where complaints of sexual harassment were alleged, the burden of proof on the plaintiff was not very heavy.

58. In 1993, the proportion of fathers on parental leave was 9.7 per cent, and the Equal Status Council had recently launched a project with financial support from the Ministry of Labour to improve the rate of use by men of existing leave schemes. In that connection, the Minister of Employment had declared her

willingness to establish temporary special measures to encourage fathers to make greater use of such arrangements. Figures revealed that Danish men reacted positively to the notion of shared family responsibilities. Since 1964, the number of men who helped with household chores had increased fourfold. Denmark was a party to Convention 156 of the International Labour Organization.

59. In order to ensure harmony between working life and family life, the law provided that public day-care facilities should be made available for children all over the country, and the Danish Parliament had enacted legislation to ensure that local authorities had the flexibility to create programmes for such facilities.

60. With regard to women's participation in business, statistics were not available on top managers of companies in the private job market. Available figures showed, however, that Danish women did not participate in decision-making in the private sector to the same degree as men, although a considerable increase in the number of women in middle-management positions had been noted. The State had the highest and the private sector the lowest percentage of women managers. Indeed, only 1 per cent of the members of the boards of directors of the 100 largest companies in Denmark were women. Increasingly, however, women were establishing their own businesses, which ad a survival rate nearly as high as that for businesses owned by men. The Danish Technological Institute offered training and scholarships to women entrepreneurs and inventors.

61. The problem of the negative attitudes of both men and women to women's holding of managerial posts in companies was being addressed through public debate and research aimed at changing attitudes in the workplace. The Equal Status Council, for example, had initiated three different studies on gender differences in management, and newspaper articles pointed to the fact that women had some resources which were different from those of men. Women's organizations, in particular, had been very active in putting the subject on the public agenda.

62. Ms. JAKOBSEN said that, with regard to budgetary allocations to programmes to promote gender equality, the Equal Opportunities Unit had at its disposal a yearly allocation which enabled it to coordinate the activities of regional employment offices and to initiate a number of special projects. It was not possible, however, to determine the total cost of such programmes.

63. The need to train girls and women in new technologies had been given a high priority within the education system. The number of men pursuing science and technology courses far outstripped that of women. A new approach to science and technology was therefore being introduced at the primary level to stimulate the interest of girls in that field at an earlier age. The Ministry of Research had also issued several publications about the future "information society" in order to highlight the subject.

64. As for the policies and laws relating to the right to work of immigrants and refugees, the principle of equality between men and women before the law also applied to the provisions relating to immigrants and refugees. Refugees holding residence permits received the same social security benefits as Danish citizens. Moreover, under bilateral social security agreements between Denmark and a number of countries, persons who completed a period of gainful employment

in Denmark could be granted a social pension during their residence in the other contracting State.

65. Legislation had been enacted which prohibited the dismissal of pregnant women and mothers or fathers on leave related to childbirth or adoption. The burden of proof lay with the employer, and it was well known among employers that such cases were difficult for them to win. The relevant legislation had been amended in 1994 following the issuance by the European Union of a directive on pregnancy, and it currently prescribed that mothers should stay at home for two weeks after delivery. Furthermore, pregnant employees had been given the right to be absent from work if their medical examinations took place during working hours.

66. The number of men and women participating in sport was nearly the same, even though the types of sporting activity differed. For example, more than 25 per cent of boys, compared to only 8 per cent of girls, played soccer.

67. As for the share of Government expenditures devoted to the health sector, the figure was 8 per cent in 1995. An annual amount of DKr 700,000 was used to provide information about reproductive and sexual health services. Since 1995, the National Board of Health had undertaken a series of non-traditional information projects on contraception, abortion and pregnancy, especially targeted at young people. The problem of unwanted pregnancies had also been discussed at a conference for county representatives and other interested parties. National health expenditure was not divided into male and female health activities, and gender-disaggregated figures were therefore not available.

68. With regard to research into women's health, men and women were used as subjects of research on the same basis. The Government's annual budget, however, contained no direct allocations to medical or pharmaceutical research, which was funded by various public and private agencies. No statistics on the amounts spent on pharmaceutical research on women's health were available.

69. The major cause of death for women was heart disease, followed by cerebrovascular disease and malignant neoplasms. The health debate in Denmark focused on the relationship between lifestyle and mortality. Certain widely held beliefs about that relationship, however, could not be confirmed by research.

70. Women immigrants and refugees were entitled to Danish health care benefits and enjoyed the same rights as Danish women.

71. The main methods of contraception used in Denmark were pills and condoms. In 1993, about 20 per cent of women were using pills, while 13.1 million condoms had been sold in the country in 1992. The number of users of intra-uterine devices had been declining steadily since 1984. In 1992, about 4,429 women and 1,722 men had been sterilized. Currently, the Ministry of Health was considering a set of guidelines on the hygiene of contraception. A committee had been established to look at issues such as tests for pregnant women, the ultrasound test, and pregnancy and the environment. In that connection, since smoking among Danish mothers contributed significantly to higher infant mortality rates in Denmark than in other countries, the National Board of Health

had focused in 1995 on information activities specifically targeting pregnant women, while relevant documentation on the dangers of smoking was provided to medical practitioners, midwives and other health personnel in close contact with pregnant women.

72. As far as medically associated reproduction was concerned, the main method used was in vitro fertilization through egg implantation, micro-insemination and egg donation. Sixty per cent of such operations were carried out by the public health services, the rest being done in private clinics. In 1994, 700 children had been born as a result of in vitro fertilization treatment, representing about 1 per cent of the total number of children born in Denmark in that year. No figures were available on the ratio of resources allocated to contraception, abortion and sterilization in comparison to allocation for infertility treatment.

73. Ms. GALAMBA (Denmark) said that girls had access to contraceptive methods and abortion under the law on contraception. Although girls under the age of 18 required parental consent, those who were married did not need such consent. Schools had an obligation to inform pupils about contraception.

74. In 1994, it had been estimated that 1,274 out of 30,563 deaths had been caused by breast cancer. Four hundred twenty-three deaths had been caused by cancer of the uterus. Access to publicly funded mammograms was free in Denmark.

75. Twenty-eight women had been diagnosed with HIV/AIDS in 1995, of whom seven had died. In 1995, 15 per cent of the total number of people infected with HIV had been women, as compared to 14 per cent in 1993. Her Government was undertaking wide-ranging measures to raise public awareness about sexually transmitted diseases, including HIV/AIDS. The Ministry of Health had spent DKr 400,000 on a publication called "Young" to provide information on the subject to schools. About DKr 1 million had been spent on advertisements in 1996, and DKr 2 million had been allocated to a major project in 1997 targeting teenagers between 15 and 19 years.

76. Students in the health-care field were educated in the treatment of HIV/AIDS. A special subject focusing on the issue especially the physiological and mental problems connected with the disease, had been included in the nursing school curriculum. The Ministry of Health was planning two intensive days of information in 1997 to brief all key players on the need to focus on HIV/AIDS campaigns.

77. With respect to the incidence of substance abuse among women, statistics showed that 25 per cent of all persons who had been addicted to drugs in 1996 were women, and that 20 to 25 per cent of those who had died as a result had also been women. According to a pilot project carried out in Copenhagen, 25.7 per cent of 258 drug addicts had been women; 12.5 per cent of them were 18 to 20 years old, 12.5 per cent were 21 to 23, 32.1 per cent were 24 to 29 and 42.9 per cent were over 30. The national health services provided a special treatment programme for pregnant women who were drug addicts. In 1993, 25 per cent of all those who had died from alcohol abuse were women, and 33 per cent of female alcoholics were under treatment.

78. There seemed to be no need to grant special loans or assistance to women who wished to open businesses. Women enjoyed the same rights as men as far as support from the Government was concerned. In 1996, a Committee had been established under the Ministry of Trade to consider the issue of granting loans in general for those wishing to open businesses, and women had been well-represented at that Committee's meetings.

79. As Denmark was a small country, there was no need for special health services for women in the rural areas. They enjoyed the same right to health services and assistance to victims of violence as other citizens.

80. In 1995, 34,970 couples had been married in Denmark, and 13,036 couples had divorced in the same year. There were no statistics on non-marital partnerships, although it was estimated that about 5,000 to 6,000 such partnerships ended in separation. The rights of non-married couples differed from those of married couples, particularly with respect to inheritance, which was not automatic but had to be secured through a will. Moreover, unlike marriages where a community-property system existed between man and wife unless separation of property was agreed, and alimony was given upon dissolution, the dissolution of a non-marital partnership depended entirely upon agreements between the two parties, without any State intervention or guarantees. Also, non-married couples did not automatically obtain the same shared custody rights of children as married couples did upon the dissolution of their partnership. The Government had not introduced any special programmes to benefit single persons since 1991, when the concept of family had been changed to include single persons.

81. Danish legislation did not differentiate between fathers and mothers seeking custody of their children. Fathers in Denmark did challenge mothers for custody. The legal basis was the Danish Act of Custody and Visiting Rights. When a relationship broke down, the legal guardian had the right to decide where the child would live including the possibility of settling in foreign country. In a case of shared custody, it was illegal for either the father or the mother to settle in a foreign country with the child without the consent of the other party. In either case, visiting rights were permitted.

82. Concerning the follow-up to the Fourth World Conference on Women in March 1996, her Government had established a committee to consider changes in the organization of work towards gender equality. In April 1996, the Parliament had encouraged the Government to present a full report on the implementation of the Beijing Platform for Action at the 1997-1998 session, and to mainstream the gender perspective in administrative, political and planning activities at both the national and the international levels.

83. The Ministry of Labour had initiated a pilot project on mainstreaming of the gender perspective in job market legislation. The aim of the National Labour Market authority was to incorporate the work that had been done on gender equality and to give it higher visibility. Gender perspectives were therefore included in planning and reporting. In the public employment service, gender equality was a specific field of activity.

84. Ms. ARAYA said that Denmark had amply demonstrated its commitment to the advancement of women by responding adequately to all 96 questions posed by the

Committee. She also wished to thank the Government of Denmark for the material assistance it had provided to her country, Ghana, for the advancement of women, namely, the provision of mammograms to all regional hospitals, the collaboration of the Danish International Development Agency (DANIDA) in ensuring that 80 per cent of Ghana's rural areas had safe drinking water and the personal involvement of Denmark's Ambassador to Ghana in the campaign to stamp out the traditional religious practice of Trocosi, which led to the enslavement of girls and women.

85. She was deeply disturbed to learn that, even though many developing countries used Denmark as a role model in their struggle to accelerate women's de facto equality through the use of affirmative action, two Danish political parties were considering withdrawing the quotas for women. She wondered whether the representatives of Denmark could tell the Committee what factors had led those parties to take such a decision.

86. Ms. CORTI welcomed Denmark's holistic approach to gender equality, which was in conformity with the Convention. However, she was surprised that there was no special legislation on domestic violence. In that connection, while she welcomed the fact that the health risk as a result of violence had been selected as a priority, it would have been preferable to give priority to the bodily integrity of victims before considering health issues relating to such violence. Although freedom of the press should be preserved, the media should be encouraged to become more involved in helping organizations dealing with issues of domestic violence to promote awareness among the public at large.

87. The increase in the portion of the health budget allocated to reproductive health services was also a very positive development. It was encouraging to note that immigrant and refugee women received health benefits. She wished to know what changes had been made in traditional information programmes on contraception.

88. Ms. SATO asked why many pregnant women had been dismissed in spite of the Equal Opportunities Act, and whether there were any other measures to protect pregnant women from dismissal.

The meeting rose at 1 p.m.

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Sixteenth session

SUMMARY RECORD OF THE 326th MEETING

Held at Headquarters, New York
on Friday, 24 January 1996, at 3 p.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

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The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Third periodic report of Denmark (continued) (CEDAW/C/DEN/3)

1. At the invitation of the Chairperson, Ms. Galamba (Denmark) took a place at the Committee table.

2. Ms. CARTWRIGHT said that the third periodic report of Denmark was a very useful report, because it dealt progressively with Denmark's compliance with the Convention and was not burdened with historical data.

3. In response to questions 15 to 25 of the report of the pre-session working group (CEDAW/C/1997/CRP.1/Add.2), the representative of Denmark had indicated that there had been a decrease in the number of cases of rape. She wished to know whether that reflected an actual decline, rather than a decrease in the number of cases reported. If so, more information was needed on changes in attitudes towards women and on how the justice system had contributed to such changes through its handling of rape allegations. She asked whether there had been an actual decline in cases of incest or whether, there again, there had simply been a decline in the number of cases reported. Incest was very much a hidden phenomenon in many countries; if the problem was being discussed openly in Denmark and offences were being prosecuted, leading to a reduction in the incidence of incest, that would be very significant and the ramifications would go beyond the health and physical integrity of the victims to include reduced costs and a reduced workload for the police and the courts.

4. In reply to question 66, the representative of Denmark had said that the burden of proof in sexual harassment cases was not very onerous for the plaintiff. If that was so, it would be easier for women to bring complaints, more information was needed.

5. Ms. SCHÖPP-SCHILLING said that the report of Denmark showed that concentrated, conscious efforts were being made to achieve de facto equality for women.

6. Many temporary special measures being taken in Denmark were not listed under article 4.1. It would be helpful to have a list of relevant laws and policies, and of the programmes being considered in various areas. Article 4.1 was one of the least understood articles of the Convention.

7. The equality advisers and committees were a temporary special measure which could be helpful in increasing the number of women working in the public sector provided that they were given the necessary power. She asked whether the action plans developed by the equality committees included numerical targets and timetables for their achievement, and whether temporary special measures, including numerical goals and targets, were being taken to combat women's unemployment. Moreover, since in the next century there was likely to be a decline in the public sector, efforts needed to be made to increase the number of women working in the private sector.

8. Ms. GONZÁLES-MARTÍNEZ said that many women from the developing world could be envious of the situation of Danish women, who had achieved full participation in national development. The replies from the representatives of Denmark showed that progress was ongoing and that there was the political will to go even further, especially in the participation of women in decision-making, as shown in the reply to question 40.

9. She asked whether the problem of the commercial sexual exploitation of children and young people was being raised in Denmark. The representative of Denmark had said, in response to question 28, that there were no statistics on prostitution; in response to question 31, that there was no specific criminal provision about traffic in women; and in response to question 32, that there had been reports in the Danish media about sex tourism. The Danish Government should take a comprehensive approach to the problem at the legislative and administrative levels and seek to enhance awareness of it. Lastly, she asked whether there was publicity in Denmark about sex trade centres in other parts of the world organized primarily for people coming from Europe.

10. Ms. TALLAWY said that it was commendable that the report included comments from non-governmental organizations, indicating a high level of cooperation and transparency. She asked whether that cooperation extended to the implementation of the national plan of action and whether non-governmental organizations had any specific responsibilities in that respect.

11. She asked what action would be taken to overcome the traditional male attitudes revealed in a number of studies carried out in Denmark; such attitudes were often the most difficult to combat, and precautionary measures might be needed to avoid a male backlash. Misinformation sometimes existed, even among people who were highly educated; information also needed to be provided to the younger generation.

12. At the Fourth World Conference on Women, the Danish Government had undertaken to devote 1 per cent of its budget to international cooperation especially to addressing poverty and women's issues in developing countries; she asked whether the Government had made a start on implementing that commitment.

13. Ms. ACAR said that, despite Denmark's impressive achievements in the area of legal equality between women and men, de facto equality was inadequate in many areas and did not measure up to the high standards set by the Government. For example, the situation in terms of wage differentials and the number of women holding decision-making positions, foreign service posts and high-level academic and research positions left much to be desired. She was concerned about the absence of special measures for immigrant and refugee women who suffered from violence, abuse or harassment. Although such women were legally entitled to benefit from the services provided by crisis centres, they were often prevented from doing so by difficulties such as lack of education and cultural or language barriers. She wondered whether any programmes or measures would be implemented to correct that situation.

14. The phenomenon of sex tourism had arisen in Denmark because no specific penalties had been established for trafficking in women, which was not considered a special crime. It was important to emphasize the moral

responsibility of all States, especially developing ones, not to overlook any practice that might lead to discrimination against women or to their mistreatment or sexual exploitation, regardless of the nationality of the women concerned. Women and children who emigrated from developing countries were particularly vulnerable to sexual abuse. In view of the Danish Government's sensitivity to women's concerns, she was hopeful that the issue would become the subject of public discussion and future measures by the State.

15. Ms. BUSTELO GARCÍA DEL REAL said that, among the many measures taken by the Danish Government to implement the Convention, she was particularly impressed by the law providing that aliens who suffered persecution by reason of gender could be granted refugee status. However, since no such cases had arisen as yet, it seemed necessary to spread awareness of the new legislation; she wondered whether the Government was planning to disseminate such information through consulates. With respect to the unit established in the Ministry of Foreign Affairs to deal with equality between the sexes in Denmark's international policies, particularly in its development cooperation and assistance programmes, she asked whether implementation of the Convention was considered one of the objectives of such development cooperation.

16. Since Denmark had made far less progress in the private sector than in the public sector, she hoped that the Government would implement policies to correct that situation and that Denmark's next periodic report would contain detailed information on the subject. She wondered which of Denmark's government ministries did not have equality committees, and why. She also asked which ministries were headed by women, and particularly whether the distribution of women ministers reflected segregation by sex of the different areas covered, as occurred in other countries. With respect to wage differentials, she wondered what trade unions were doing to remedy that situation and what attitude they displayed towards the issue of equal pay for work of equal value. She also asked for information on the attitude of the women's trade union in that regard.

17. In terms of the implementation of the Beijing Platform for Action, she asked whether Denmark had initiated measures to include non-remunerated work, by both women and men, in its national accounts. Since the figures provided on part-time employment reflected only women's participation, she asked for the corresponding figures for men's participation, and wondered whether it was increasing. In the area of reproductive health, she asked for information on the use of the RU-486 pill in Denmark. She also wanted details on the system for adopting children. She hoped that Denmark's next periodic report would contain information on the implementation of new measures in compliance with the Beijing Platform, especially in the areas of women's access to decision-making positions and to genuine equality in relation to employment, including the issues of equal pay, flexible working hours and the possibility of working at home.

18. Ms. LIN Shangzhen said that she appreciated Denmark's recognition, in paragraphs 6 and 37 of its report (CEDAW/C/DEN/3), that ratifying the Convention meant that attitudes in the public and private spheres must be changed and that the reconciliation of working life and family life should be given priority because maternity was a social function and men and women had a common responsibility for the upbringing of children. She asked for more information on how those principles had been addressed, since the report did not elaborate

fully on them. With respect to the possible abolition of quotas for women's participation in political life, she wondered how the Danish people in general, and women in particular, had reacted to that possibility, and whether such a backlash could become a trend in all the Nordic countries.

19. Ms. FERRER asked whether any specific consciousness-raising efforts on gender-related issues had been made among female political leaders, and whether women in positions of power identified with the problems, interests and needs of women in general throughout the country or tended to adopt traditionally male attitudes. She wondered whether women in the Government, as well as women leaders in the spheres of education and health, had used their influence to spread awareness of gender-related issues. She also asked whether there was any parliamentary commission specifically mandated to deal with such issues.

20. Ms. OUEDRAOGO recalled that the Danish delegation had mentioned that many marriages in Denmark were short-lived, and asked whether efforts were being made to prepare young people for marriage through discussions of the roles and responsibilities of spouses in the context of family life education. She asked for clarification of the indication that some government ministries did not have formal structures for dealing with issues of women's equality. With respect to prostitution, she asked whether any specific study had been undertaken to support the claim that most prostitutes in Denmark were foreigners, since it was possible that clandestine prostitution took place in Denmark. She was interested in Denmark's innovative parental leave policy, which represented a model for other countries, and asked for more information on its implementation, in view of the statement that men rarely took advantage of their right to parental leave.

21. Ms. AOUIJ said that, although the extent to which political power was shared between women and men in Denmark constituted a model for developing and developed countries alike, economic power was not shared to the same extent. Since economic globalization had heightened the importance of financial institutions, she asked how many women occupied decision-making posts in the relevant ministries and in banks and enterprises. Women's representation in the private sector was unlikely to improve simultaneously, judging by the country's experience in the public sector, where few women held senior decision-making posts; it would therefore be necessary to implement government policies to empower women in the economic sphere. Noting that the non-governmental organizations whose comments appeared in Denmark's report dealt with political issues, she asked whether any such organizations had been formed to deal with women's economic position. She regretted that there were no specific penalties for violence perpetrated against women by reason of their sex. She was pleased to note that the Government was taking measures to overcome men's reluctance to avail themselves of parental leave, and that it recognized the linkage between women's and men's new roles in the family and Denmark's economic development.

22. Ms. JAVATE DE DIOS commended the Government for its detailed report, which had been prepared in accordance with the Committee's guidelines, and for its exhaustive replies to the Committee's questions, which reflected the real progress achieved with regard to equality. She would be grateful for additional information on the inputs provided by non-governmental organizations and on how their efforts were coordinated with those of the Government. Further details should also be provided on the constitutional and legal guarantees of human

rights, equality and non-discrimination. She drew attention to the Government's contribution as a leader in human rights advocacy and education, and to the institutional mechanisms which reinforced women's equality, such as the Equal Status Council, temporary special measures, equality committees and equality advisers. At the same time, she agreed with Ms. Schöpp-Schilling that there was a need to empower the committees if they were to achieve their goals.

23. The Government should be more specific about the jurisprudence regarding women's rights. It would be useful to learn whether the policies to promote women in the judiciary were recognized in the courts and invoked in specific cases.

24. The Government deserved credit for its preventive approach to violence against women, which was based on public education and information. Nevertheless, it was difficult to understand why the number of women turning to crisis centres was increasing while research data indicated that violence, especially rape, and incest were decreasing; the Government should consider whether the research might be flawed. The initiative to provide victims of sexual abuse with free medical and psychological assistance was nonetheless commendable. Measures should be adopted to strengthen the education provided to girls and boys, the public at large, and strategic groups, such as judges, the police and politicians, on the issue of violence against women, and the assumption that violence was decreasing should be reviewed in a critical light.

25. With regard to article 5 of the Convention, the Government had shown commendable concern for the rights of migrant and immigrant women by ensuring that they were eligible for social assistance and health benefits and that they were treated equally. In that connection, the Government should consider whether immigrant women, who were economically dependent on their husbands, might be under-reporting instances of physical and sexual abuse.

26. The issue of trafficking in women and prostitution raised possible concerns. Organized criminal groups perpetrated such trafficking throughout Europe, and new technologies, such as the Internet, facilitated hidden forms of prostitution. The Government should examine that issue more carefully.

27. Lastly, two areas mentioned by the Danish representative raised special concerns. First, there was evidence that certain new reproductive technologies, such as <u>in vitro</u> fertilization and egg donation, were very invasive and detrimental to women's health. It was unclear how those procedures could empower women and what the impact would be if large numbers of women availed themselves of the new technologies.

28. Secondly, the rate of partnerships outside marriage was very high. The Government should indicate whether any study had been made of the impact of such partnerships on the economic and social status of women.

29. The Government was still facing serious obstacles in its drive to empower women. Inequality persisted in the political arena, in management, in key decision-making bodies and in private attitudes. Women were still primarily responsible for child care; only 8.6 per cent of fathers availed themselves of parental leave. The Danish experience, which was a model for many countries, showed that the path to women's empowerment was uneven.

30. Ms. SHÖPP-SCHILLING said that, despite the reporting State's remarkable achievements with regard to educating women and girls, it was necessary to avoid the mistake of believing that education could solve all problems. In developed countries, where education was regarded as the key to success, there were more girls and women than boys and men at certain levels of schooling, yet a higher number of women were unemployed. It was necessary to consider whether women were receiving the training which they would need in order to obtain jobs in the twenty-first century. In its next report, the Government should provide further details on its efforts in that regard.

31. With regard to the statement in paragraph 73 of the report that boys and girls had different interests, there had been a great deal of discussion in recent years about whether girls did better academically if they were educated separately from boys starting in early adolescence. The Government should indicate whether it had considered any practical experiments along those lines.

32. She noted with satisfaction that the teaching of women's studies now consisted of credit-bearing courses leading to an academic degree. Women had a right to their own past, and women's studies challenged male-dominated theories in the social sciences. In that context, the secondary school course on gender and culture should be compulsory rather than elective. With regard to the number of women in academic posts, it would be interesting to learn whether the Government had considered affirmative action measures, such as earmarking a percentage of research scholarships for women, including older women returning to the academic world; such programmes had been implemented successfully in her country, Germany.

33. The low number of women in decision-making posts in the private sector was worrisome. In that connection, the Government of Belgium had achieved success in inducing the private sector to adopt voluntary affirmative action plans. In its next report, the Government should provide further details on its efforts in that regard.

34. The role of trade unions in ensuring equal pay for work of equal value needed clarification. It would be useful to have a fuller account of the results of the Nordic Equal Pay Project.

35. The reporting State should be more specific about the situation of disabled women, particularly in the areas of education, employment and affirmative action.

36. Lastly, it was difficult to understand why no action had been taken with regard to the three ministries which had failed to establish equality committees. The Government should muster the political will to ensure that all public sector entities adhered to the national action plan.

37. The CHAIRPERSON said that the Committee appreciated the Danish Government's commitment to women's rights. Denmark had initiated measures to promote gender equality in the public and private spheres long before the Convention had entered into force. She noted with satisfaction that a majority of members of the Danish Parliament supported women's reproductive rights and that, as a follow-up to the Fourth World Conference on Women, the Government had established committees to introduce gender equality in various fields. At the

same time, members of the Committee had expressed concern about the problems persisting in certain traditional areas, such as the absence of specific legislation prohibiting violence against women, the commercial sexual exploitation of children, prostitution, the low number of women in top management positions in the private sector, and sex stereotyping. It was to be hoped that, by the time of its next report, the Government would be able to provide specific information on affirmative action measures adopted to address those and other issues.

38. Ms. GALAMBA (Denmark), replying to the questions raised, thanked the members of the Committee for their valuable input. A backlash against affirmative action was indeed occurring in her country, although its causes were difficult to pinpoint; in particular, many young people of both sexes were opposed to affirmative action, believing that equality between women and men already existed. The issue required further examination.

39. The absence of specific legislation prohibiting violence was due to the traditional view that violence was the same whether it was the traditional view that violence was the same whether it was directed against women or men; the matter would, however, be reviewed by the Equal Status Council.

40. The ministries which had not established equality committees were the Ministries of Finance, Economic Affairs and Justice. Nevertheless, the Minister for Economic Affairs was a woman, and women had risen in the ranks of the Ministry of Justice even without such a committee.

41. The CHAIRPERSON said that the Committee had concluded its consideration of the third periodic report of Denmark.

The meeting rose at 4.55 p.m.

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Sixteenth session

SUMMARY OF THE 327th MEETING

Held at Headquarters, New York,
on Monday, 27 January 1997, at 10 a.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

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The meeting was called to order at 10.15 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Third and fourth periodic reports of the Philippines
(CEDAW/C/PHI/3 AND CEDAW/C/PHI/4)

1. At the invitation of the Chairperson, Mr. Mabilangan, Ms. Nicolas and Ms. Feliciano (Philippines) took places at the Committee table.

2. Mr. MABILANGAN (Philippines) said that the ratification by the Philippine Senate of the Convention on the Elimination of All Forms of Discrimination against Women in 1991 was in pursuance of a policy of non-discrimination that was enshrined in the Constitution. The confluence of legislative and administrative measures that had been subsequently adopted and put into operation constituted a measure of the Government's commitment and determination to implement the Convention's provisions nationwide. Thus, following its launching of the Philippine Perspective Plan for Gender-responsive Development, 1995-2025, the Government had, through the General Appropriations Act, especially the 1996 version, required all government departments, offices and agencies to earmark 5 per cent of their 1996 appropriations for projects designed to address gender issues. The Congress had also passed the Women in Development and Nation-building Act, a strategy for empowerment that viewed women as a sine qua non of economic growth and development.

3. His Government supported the proposed optional protocol to the Convention, which would improve and strengthen the Convention.

4. Despite the strong economic performance that was providing the impetus for social progress, especially the advancement of women, much still remained to be done. The Government continued to face considerable challenges in the social sphere following the rapid increase in population growth, widespread poverty and the scarcity of jobs, despite declining unemployment. Consequently, many Filipinos, particularly women, were forced to seek employment overseas, where they fell victim to exploitation and abuse. In that regard, his Government as particularly concerned about women migrant workers because of their vulnerability to violence and trafficking. The Vienna World Conference on Human Rights had also recognized the special importance of promoting and protecting the rights of vulnerable groups including, in particular, women migrant workers. Indeed, the plight of women migrant workers could not be disassociated from the problem of trafficking. Since 1992, his Government had been actively involved in efforts to introduce resolutions concerning violence against women migrant workers and the traffic in women and girls before the Third Committee of the General Assembly, the Commission on the Status of Women and the Commission on Human Rights.

5. Non-governmental organizations had been consulted and had played a vital role in the various initiatives that his Government had taken towards the implementation of the Convention. They had also been allies of the National Commission on the Role of Filipino Women in pressing for changes in the different branches of Government.

6. Ms. NICOLAS (Philippines), introducing the third and fourth periodic reports of the Philippines (CEDAW/C/PHI/1 and CEDAW/C/PHI/4), said that the reports and the answers to the Committee's questions were the product of the collaborative effort of government organizations and non-governmental organizations. She wished to draw the Committee's attention to two recent developments in her country. The first was the passing by the Senate of an anti-rape bill, which was now under consideration by the bicameral committee to harmonize the versions of the Senate and the House of Representatives. By the end of the first quarter of 1997, her country should have an anti-rape law. The second development, consistent with the Committee's General Recommendation No. 17, concerned the meeting by the heads of all government statistical agencies to set up the parameters for research on how to measure and value the unremunerated work of women.

7. In spite of her country's remarkable economic recovery, most women, particularly rural women, bore a disproportionate burden of poverty. That was reflected in the continuing feminization of overseas employment: in 1994, 60 per cent of Filipino workers going abroad were women. Women's poverty remained a continuing concern of her Government. The fact that the National Commission on the Role of Filipino Women had gained access to the Social Reform Council would enable the Commission to champion women's concerns in the framework of the implementation of the Government's anti-poverty strategy. The aim of the social reform agenda was to address the inequitable distribution of economic gains and to devise safety nets for the disadvantaged and vulnerable sectors, including women.

8. Under the 1996 and 1997 General Appropriations Act, government agencies were mandated to allocate 5 per cent of their regular budget for the implementation of gender and development programmes and projects. In 1996, the biggest share, 1.4 billion Philippine pesos, went to direct services and programmes in such areas as women's health, education and credit facilities. The second largest share, 86.4 million Philippine pesos, was spent on research supporting the formulation and review of gender-responsive policies and plans.

9. Her Government had also set aside at least 20 per cent of the national budget for social programmes and services which ultimately benefited women. Already 31 per cent of the 1996 national budget had been allocated to such programmes and services as education, welfare and employment.

10. As far as the situation of Philippine migrant women workers was concerned, although the Government had repeatedly declared that labour migration was not its long-term policy, it had had to take measures that would respond to the pressing needs and problems of workers overseas, especially women. In 1995, the Government had adopted the Magna Carta for Migrant Workers, providing among other things, legal counselling and welfare assistance for returning overseas workers. The Department of Labour was conducting a study on the migration of women workers and the psycho-social impact of such migration on their families. It had also issued a policy to protect female household workers and performing artists deployed overseas. Given the dimension and seriousness of the problem, until the Philippines reached a satisfactory level of economic prosperity, the measures taken to protect the rights of women, especially those in extreme poverty and those working overseas, would be inadequate.

11. Violence against women had posed a serious challenge to the Government. In the absence of a law on domestic violence, a multi-agency task force had issued a presidential directive requesting that measures should be taken to educate the public on the issue of domestic violence and respect for women's rights. The Philippine National Police continued its efforts to establish policewomen's desks in every police station in the country. Over 3,000 cases had been reported to acted upon by such desks in 1996. The foregoing initiatives were based on CEDAW General Recommendation No. 19.

12. Turning to the Philippines commitment to and implementation of the Beijing Platform for Action, she noted that President Ramos had signed Executive Order 273 approving the Philippine Plan for Gender-responsive Development, 1995-2025, and designating it as the main mechanism to implement the Platform for Action. Alternative non-formal education systems and literacy programmes for women and girls in indigenous communities had been implemented. The Department of Health had decided to focus, inter alia, on trying to achieve the highest level of health for women throughout their life cycle and on working for the empowerment of women to exercise their reproductive rights. In 1996, for the first time, a woman had been appointed Secretary of Health. Various lending schemes had been set up to provide women access to loans with no collateral requirement. A career advancement programme for women in government service had been adopted to enhance their capability to break the "glass ceiling" and to advance to decision-making positions. There were also provisions to protect the special needs of girl children in emergency situations.

13. In order to sustain the gains achieved so far in implementing the Platform for Action, the Government needed to ensure that more effective, integrated, regular and comprehensive monitoring and evaluation mechanisms were in place. The National Commission on the Role of Filipino Women hoped that the Committee's experts could help it to develop such mechanisms.

14. In partnership with women's non-governmental organizations, legislators and individual advocates, the National Commission endeavoured to rid the country's laws of discriminatory provisions. The overall picture showed gradual improvements in the status of women in various fields. While women's contributions to the economic upkeep of households had increased, there had been no significant sharing of domestic tasks and responsibilities. An increasing number of women were entering the labour force, but wide gaps remained as far as the conditions of employment and pay of women and men were concerned. While women predominated in the professional and technical fields of the civil service, top positions were generally held by men. Women were reluctant to run for political office, although more and more of them participated in voting. Indeed, all the problems that had been raised in the fourth report were yet to be resolved.

15. She welcomed the Committee's comments on the work of the National Commission, and would share the Committee's assessment and advice with her constituents back home.

16. Responding to questions by the members of the Committee (CEDAW/C/1997/CRP.1/Add.3), she said that four laws of significance to the advancement of women had been passed in 1996, relating to the inclusion of women on party lists, paid paternity leave, protection of migrant workers and

participation of women in dairy-related projects. The National Commission on the Role of Filipino Women had expanded, and had added a division to ensure the gender responsiveness of proposed legislation and a division to monitor implementation of international commitments and national policies on women.

17. The 1990 Republic Act No. 6955, which banned arranged marriages, had resulted in the disappearance of advertisements for commercially arranged marriages with foreign men, although a substantial number still took place. The Government was considering potential loopholes in the legislation. The Government had also taken steps to require women intending to marry foreign nationals to attend counselling.

18. The bill creating the Philippine Commission on Women would expand and strengthen the present National Commission on the Role of Filipino Women. The bill had been passed in the House of Representatives, and was under study in the Senate.

19. Presidential issuances had some limitations compared to laws because they applied only to the executive branch, but they were easier to promulgate and had far-reaching influence on executive agencies and local government.

20. A working group on statistics had completed a set of indicators on the situation of women which would become the basis of a plan to fill in gaps in gender-related statistics. Other efforts included the quantification of housework, and development of a survey on the incidence of violence against women and children.

21. Implementation of laws largely rested with the executive branch of the Government, which was also responsible for monitoring implementation.

22. Under the Philippine Development Plan for Women, programmes had been undertaken to raise awareness, build up enabling mechanisms and develop capabilities among government officials so as to ensure implementation of the plan. The Plan had helped to sharpen the focus of government programmes for women, had led to the opening up of non-traditional areas for skills development and had placed the Government's international commitments and State policies and laws under a unified, coherent framework. Gender mainstreaming had been adopted in support of the Plan.

23. The National Statistics Office study of the treatment of men and women in various sectors had covered the demographic, economic, social and special concerns sectors.

24. The Constitution mandated the equality before the law of men and women. However, there was a need to amend some areas of criminal law, such as the provisions on prostitution. Gaps in the effective application of laws affecting women were often due to basic deficiencies in the substance of the laws. Women's views were now being considered in an effort to close gender-related gaps in legislative proposals.

25. Republic Act No. 6725 provided for the elimination of certain discriminatory practices, such as payment of lesser compensation to women. There was as yet no study on pay equity standards.

26. There was a separation of Church and State under the Constitution, so that the Church was not expected to assist the Government in implementing equality policies and programmes. There were, however, gender-sensitive Church programmes for women.

27. The sectoral ministries established by the Government had been mandated to set up focal points. There were now 72 focal points for women in national and subnational agencies.

28. The National Commission on the Role of Filipino Women had had a budget of roughly US$ 528,000 in 1995 and US$ 640,000 in 1997, amounts that were small in comparison with needs. That allocation was expected to increase. Additional funding for some programmes was received from donor agencies.

29. The Convention was well known to women's non-governmental organizations, some of which advocated for it.

30. The Philippine Plan for Gender-responsive Development would serve as the basis for the country's long-term development plan, and had been institutionalized as the main vehicle for implementing the commitments assumed at the Fourth World Conference on Women.

31. The Philippine Commission on Human Rights advocated women's rights through information campaigns, consciousness-training, promotion of institutional mechanisms and legislation, and research.

32. Under Republic Act No. 7192, up to 30 per cent of official development assistance could be earmarked for women's programmes. Increasing allocations had been made over the past four years.

33. Consideration of the semi-annual reports submitted by all government agencies was the responsibility of Congress and the Office of the President, or their authorized agent. In the case of the Office of the President, that was the National Commission on the Role of Filipino Women.

34. In 1995 the total women's budget allocation had been 990 million Philippine pesos. The allocation had been used for women-specific programmes and projects, establishment of institutional mechanisms, and policy research and review.

35. Specific acts had been adopted containing affirmative measures to increase the participation of women in the executive and legislative branches of Government.

36. The Family Code provided that management of the household was a joint responsibility of husband and wife. While no study had been conducted, observation suggested that more men now shared in parenting and household responsibilities, although women continued to bear the primary responsibility.

37. The bill on sexual harassment had become law in February 1995, and rape had been made a heinous crime under Republic Act No. 7659.

38. Government and non-government agencies were conducting information activities to raise public awareness so as to prevent crimes and violence.

against women. Police officers, judges and prosecutors received gender-sensitization training.

39. There was as yet no comprehensive database on the incidence of violence against women, partly because of underreporting and partly because agencies receiving complaints could not effectively address them owing to limited resources and understanding of the problem. Some data were, however, available from the Department of Social Welfare and Development.

40. Incest was the least reported but a frequently committed form of violence. The law provided that prosecutions were possible only on the filing of complaints by victims, and in practice pursuit of incest cases was problematic.

41. Violence had long-term consequences for women and family members, with children sometimes becoming runaways. A cultural atmosphere demeaning to women denied the Philippines the full talents of its women. Community traditions and attitudes resulted in indifference and silence in the case of violence against women, although that silence was now being broken. The Government was seeking to sensitize society and to enact and enforce protective laws.

42. Criteria had been developed by the Government to rid textbooks of gender stereotypes, and training was being provided in the use of gender-neutral instructional materials. Training institutions had expressed a willingness to integrate gender concerns into their curricula.

43. Senate Bill No. 541 was still under study.

44. Non-governmental organizations worked with local officials with regard to local ordinances affecting girls and women. Several organizations were involved with issues such as the human rights of prostitutes, child prostitution and migrant workers. The legislation on prostitution and traffic in women was under review. Prostitution was punishable under the Penal Code.

45. The "hospitality industry" had been used by the former Government to cater to tourists and United States military personnel. Many related establishments, fronts for prostitution, had been summarily closed. Current debate on prostitution centered on the need to penalize traffickers and customers rather than women, since prostitution was an institutionalized form of violence against women.

46. Five Senate Committees, on labour, women and family relations, foreign affairs, constitutional amendments and justice and human rights, were considering the plight of Philippine domestic workers and entertainers abroad.

47. The elimination of all sexually exploitative practices and of all violence against women was a strategic goal. Legal and criminal sanctions, however, were not enough, and poverty alleviation measures were also required. The demand side of prostitution and trafficking must also be dealt with. Studies indicated that poverty, unemployment and a lack of education or skills drove women into prostitution. Since organized crime syndicates were involved, both national and international approaches were required. The Philippines was a signatory to the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. A pilot study on traffic in women between the

Philippine and Belgian Governments was now under way with a view to devising policy recommendations.

48. Measures were being taken for the well-being of women formerly working as entertainers at United States bases. The dismantling of the bases had led to a drastic decline in registered entertainers. Skills training and assistance were being provided to women and children infected with the human immunodeficiency virus (HIV).

49. The incidence of child sexual abuse was rising, in response to which the Government was amending the legislation to combat paedophilia. Cooperation was being undertaken with the German and Netherlands Governments to ensure the prosecution of paedophiles from those countries. Victims were usually placed under protective custody in special centres. Village councils were being organized to identify conditions that might lead to neglect and abuse of children. Law enforcement agencies were seeking to apprehend paedophiles.

50. House Bill No. 2037 on pornography was still under study. Sex tours were banned under the tourism master plan, and the Department of Tourism was acting to enforce regulations. There was still, however, a lack of sensitization among local government units.

51. The representation of women on local councils was low, ranging from 10.7 per cent on city councils to 11.4 per cent on municipal councils.

52. Thirteen government agencies had established desks to hasten the promotion of women, and a directory of candidates for senior positions was being developed. There was minimal representation of women in elective posts, so that, for example, only 17 per cent of Senators were women. There had been no great improvement in the appointment of women at the Cabinet level. Among police officers, most women were on the lowest rung of the hierarchy.

53. Women's non-governmental organizations had been active in training women in elective posts in terms of gender-related problems and strategies to follow once elected.

54. Civil Service Commission data indicated that 30 cases of gender discrimination had been filed with it.

55. The State encouraged the participation of non-governmental organizations in State undertakings and local governments, and they were provided with seats in government decision-making bodies. Women's groups had increased in number from 900 in 1992 to 4,640 in 1996. The President actively championed the promotion of women to decision-making positions. Women legislators generally supported the advancement of women's concerns in the legislature, and many were active advocates of women's projects.

56. Briefings and orientation on gender awareness for publicly elected officials were being conducted by government agencies and non-governmental organizations. Gender concerns were being institutionalized in the training programme for local executives offered by the Local Development Agency. Moreover, policy-oriented materials were also being developed and disseminated to elected officials by the National Commission on the Role of Filipino Women to

provide an understanding of gender/women's issues. Women's interests had not yet been integrated into the platforms of most political parties. However, respect for and recognition of women as an electoral "force" was growing, as evidenced by the creation of committees to focus specifically on the female electorate during the recent presidential election. There had been no women's political parties in the 1995 elections.

57. The number of women in the Philippine Military Academy had increased, with the first group of 15 female cadets entering the Academy in 1993 and another 17 entering in 1994. Women had a role in the peace process and were represented in peace negotiations, although only one woman had been appointed to the Government panel negotiating a peace settlement with major rebel groups. A woman had been appointed as executive director of the Office of the Presidential Advisor on the Peace Process. Women were also represented in a coalition of political and citizen's groups formed in 1987 to contribute to the negotiating process, and women had been asserting demands at the grass-roots level for formal recognition in the peace pact system and the process of delineating ancestral domains.

58. The Constitution ensured fundamental equality between women and men in acquiring, changing or retaining their nationality and that of their children. There was no marked difference in the educational status of women and men; slightly more women than men had never attended school, roughly equal proportions of men and women were obtaining elementary and high-school educations, and more women than men were reaching and completing the university level. Trends in women's education were improving, but there were still problems such as gender tracking, disproportionate representation in decision-making, the provision of preferential educational opportunities to boys and the multiple burdens placed on girl children. Statistical data were available on education and other issues in the text of Filipino Women: Issues and Trends and in "Filipino Women: Facts and Figures", both of which had been distributed to the members of the Committee.

59. A recent study conducted by the Women's Studies Consortium of the Philippines of its 43 affiliated State and private colleges and universities had revealed that members were enhancing their understanding of gender issues as a result of seminars conducted by the Consortium. Members had also initiated the integration of gender perspective into their courses and into academic programmes, curriculum research and community outreach work.

60. Gender-disaggregated data were available for general demographic, social and economic analysis factors but were as yet unavailable regarding women entrepreneurs and workers in the informal sector, the national incidence of violence against women, women's contribution to the economy, women prostitutes, income by sex, or a range of indicators at the provincial, city or municipality levels. That lack of information was primarily due to limitations in financial resources, but efforts to improve the availability of gender-based statistics were continuing.

61. Ms. FELICIANO (Philippines) said that reforms in the educational system were being pursued to enhance gender-sensitivity and eliminate sex biases and stereotyping in textbooks and instructional materials. Gender-neutral core messages and training manuals had been developed for integration into subjects required at all grade levels, but no data were as yet available on the

"assessment of materials" referred to in the fourth periodic report of the Philippines (CEDAW/C/PHI/4). Women were not equitably represented at higher levels of school management, despite their overwhelming majority in the teaching profession as a whole. That disparity could be addressed by the use of merit points for promotion and government scholarship awards.

62. No statistics or impact assessments were as yet available on the Plan of Action for All (1991-2000) or the Philippine Plan for Gender-responsive Development (1995-2025). The female literacy programme in the provinces of Maguindanao, Lanao del Sur, Sulu, Basila, Tawi-Tawi and Ifugao had enrolled 15,000 illiterate women, or 12 per cent of the targeted illiterate female population in those provinces. A pilot literacy programme for women had been set up in the fishing villages north of Manila, and non-formal education programmes had been conducted for fishermen. Literacy programmes for the disadvantaged also existed, focusing on teacher training and alternative education delivery schemes for cultural communities. Career-development initiatives for women included career counselling, training in better-paying jobs, and coaching and mentoring.

63. Ms. NICOLAS (Philippines) said that 60 per cent of Filipinos working overseas were women, and referred members of the Committee to Fact Sheet No. 3 "Women and employment". The Government had negotiated some bilateral labour agreements with other countries to secure better terms for women migrant workers, and a number of ministries had signed a "Declaration of Commitment" to stamp out illegal recruitment and provide better protection for overseas Filipino workers.

64. The Assistance to Nationals Task Force had prepared orientation manuals and conducted skills enhancement seminars for personnel of Philippine embassies and consulates. Numerous victims of illegal recruitment were being assisted, and many establishments engaged in illegal recruitment had been shut down. Moreover, the Department of Foreign Affairs was training its officers in gender awareness and the basic human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women.

65. The Civil Service Commission had issued a memorandum granting married women 60 days of maternity leave with full pay. The Department of Labour and Employment was undertaking a continuous campaign of information and advocacy to effectively implement the principle of equal pay for equal work. In order to deal with the undervaluation of women's work, that Department had also conducted an occupational wage survey in all private-sector non-agricultural establishments employing 10 or more workers. A survey of labour conditions in the free-trade zones was also in progress and was expected to provide recommendations for improving monetary and working benefits for workers in those zones. Laws had been passed to increase maternity benefits in the private sector, increase the minimum wage of house-helpers and provide social security benefits to those earning at least 1,000 Philippine pesos per month, and grant seven full days of paternity leave with pay to all married male employees. No data on the impact of those laws were available.

66. The Department of Social Welfare and Development maintained a regular day-care centre evaluation programme, and had recently proposed that national government agencies and Government-owned or controlled corporations should

provide day-care services to their employees' children under the age of five. The Department of Labour and Employment was carrying out programmes to support women inn the areas of self-employment, entrepreneurship and cooperative endeavour, and to enhance the capabilities of rural workers, including women; Government banks were also making collateral-free loans available to women. Women were continuing to be consigned to the reproductive sphere, even as growing numbers of them joined the labour force. Their work at home remained unpaid and did not contribute to eligibility for retirement or other work-related benefits. However, the Philippines had recognized the value of housework at least insofar as providing that spouses who engaged in full-time housework might be eligible for social security.

67. The right of women to return to the same employment after maternity leave, the rights to promotion and advancement, and the right to retain social security benefits all applied equally to women in the free-trade zones. The constitutionally-guaranteed right to self-organization also applied to women in those zones.

68. Women remained under represented in union leadership; the Department of Labour and Employment was offering a training programme for women in trade unions, focusing on negotiation skills, leadership and communication skills, management and gender sensitivity. The capacity of the Department of Labour and Employment to enforce labour standards for homeworkers was clearly mandated in the Labour Code.

69. Since the passage of the Anti-Sexual Harassment Act of 1995, six complaints had been recorded. Two cases were pending before the grievance committee of the Civil Service Commission, three offenders had been dismissed from service, and one had been suspended from work. A Supreme Court judge had also been dismissed for harassment of a clerk. However, only one case involving the illegal dismissal of the perpetrator had been filed before the National Labour Relations Commission and affirmed by the Supreme Court.

70. In order to increase awareness of labour laws among women workers and employers, the Department of Labour and Employment was implementing a labour education programme and was disseminating informational materials on the provisions of labour laws. The Trade Union Congress of the Philippines was also implementing programmes to increase workers' and employers' awareness of labour laws. The Civil Service Commission had made flexible working hours applicable to both women and men. No formal study had been conducted on that policy, but the experience of many government workers indicated that it had helped women organize their career and family commitments with greater flexibility.

71. Women represented the majority among migrant workers owing to a lack of domestic employment opportunities, particularly in rural areas. While no assessment had been made of the project to establish a database on women migrant workers focusing on women domestic helpers, it had clearly contributed to improvements in the data system of the Philippines Overseas Employment Administration, and consequently to the quality of that agency's ability to assess information and make recommendations to policy makers. To address the growing needs of women who migrated elsewhere to work, the Government was endeavouring to create local jobs that gave women the option to stay, and assisting them with services should they choose to work abroad. Non-farm

industries were being developed, particularly micro- and small industries, along with entrepreneurship development programmes for rural areas. Community training centres had also been established to expand the access of the rural work force to programmes and services designed to promote their employability and productivity. Another significant source of jobs in the countryside was subcontracting to homeworkers.

72. The number of HIV-infected females was increasing, but as of November 1996 the majority of HIV-positive individuals were males, and the majority of cases were individuals aged 49 or below. During the 12-year period preceding the report, 11 cases had been perinatally transmitted. The Government was implementing preventive and remedial programmes and raising public awareness through a variety of measures. The draft bills referred to in paragraphs 17.1 to 17.6 of the section on article 12 in the third report (CEDAW/C/PHI/3) had not been passed. The Government was cooperating with numerous non-governmental organizations that were actively working on issues of family planning, reproductive health and HIV/AIDS.

73. Major achievements of the 1988 Action Plan of Philippine Parliamentarians on Population and Development were passage of the local Government Code of 1991, reduction of the population growth rate in the Philippines, rationalization of the population programme, transformation of family planning into a health issue, passage of new investment laws and provision of a venue for non-governmental organizations and civil society to participate in governance and in shaping Government policy through the social reform agenda.

74. Statistics on abortion were scarce and limited because it was illegal in the Philippines; a 1993 study conducted among 1,169 women in Manila revealed an abortion prevalence rate of 16.6 per cent. The policy of empowerment of women to exercise their reproductive rights was the recognition of the freedom of women and men to choose the size of their families and to practise family planning. All individuals should be provided equal access to information, services and guidance in planning their families.

75. No Government data were available on training programmes to improve the services provided by traditional midwives, but some non-governmental organizations had begun training programmes and dialogues with traditional midwives. While the social sector allocation of 128.8 billion Philippine pesos comprised the largest share (31 per cent) of the 1996 government budget, no information was available on the budget for health services in rural areas.

76. Cases of substance abuse were found among women of all ages but were highest among the 15- to 19-year-old age group. Official reports of women substance abusers had increased between 1990 and 1993. The Government was engaged in providing preventive education to different population groups, and was also conducting research studies on drug abuse. The Committee was referred to Fact Sheet No. 6, "Women and Health". Social security coverage had been extended to domestic workers and persons earning at least 1,000 Philippine pesos per month in the informal sector. Implementors of the 1991 Livelihood Revolving Fund for Women had previously reported a 90 to 95 per cent repayment rate; however, updated information on the Fund was not yet available.

77. Ms. FELICIANO (Philippines) said that the Presidential Commission to Fight Poverty had been asked to monitor progress in the implementation of Government anti-poverty programmes and was focusing on the Minimum Basic Needs Indicator, which did not include gender-disaggregated data at the time of the report. However, in view of State's intention to pursue a gender-responsive poverty-alleviation strategy, some efforts had been initiated to make the Indicator more gender-responsive.

78. The laws described in paragraphs 17 and 18 of the fourth report (CEDAW/C/PHI/4) were still new at the time of the report, so their impact on women was difficult to measure. However, it was known that 67 per cent of the 97,766 beneficiaries of a law providing assistance to micro- and cottage enterprises were women. The equal rights of women to own land, to share in farm production and to be represented on advisory bodies were explicitly guaranteed under the Agrarian Reform Law. The Department of Agrarian Reform also continued to reform its administrative policies and guidelines to ensure the fulfillment of the laws's intent. However, figures showed that the Government still had much to do; for example, less than 3 per cent of the approximately 13.5 million hectares of land distributed under the agrarian reform programme were owned by women.

79. Water sanitation facilities under the World Bank's first rural water supply and sanitation project had benefited over 200,000 households in rural communities. Nevertheless, the project was seen as already having greatly eased women's traditional burden of procuring water.

80. Structural adjustment programmes had contributed to a robust economy in 1996 and to the lowering of inflation. There were indications, however, that rural women workers had been adversely affected in the short term. The Government recognized that trade liberalization in itself would not bring about equality and economic development, and it had therefore formulated safeguard mechanisms to cushion the adverse impact of that process. The pace and extent of the reform of agricultural trade policies, for example, had been harmonized with the sector's ability to cope with the challenges of a more open trade regime. The challenge was now to determine the other areas in which women were adversely impacted and to provide them with adequate support, including alternative economic opportunities.

81. On the question of the impact of imported agricultural products on the economic status of women in the agricultural sector, the Government, as a signatory to the General Agreement on Tariffs and Trade (GATT) and a member of the World Trade Organization (WTO), was committed to granting international access to its domestic market and to the reduction of domestic and export subsidies. As producers, women farmers stood to benefit from trade liberalization, which would bring cheaper inputs and better technology, thereby resulting in lower production costs and improved quality of output. International competition, moreover, would force local industries to become more efficient and competitive.

82. As for the right of women to own land, the Family Code and Republic Act 7192 provided for the right of women to own property and to contract employment and credit without their husband's consent. The provisions of the Labour Code were uniformly applied to men and women in agribusinesses. The

Department of Labour and Employment was empowered to investigate complaints about alleged violations of the labour laws in the agricultural sector.

83. With regard to the comparative literacy levels of rural and urban women, rural women had a lower level of literacy, although a steady increase in the literacy rate had been recorded between 1989 and 1994 for both rural and urban women.

84. Women constituted almost half of all agricultural workers. Of that number, 57 per cent were unpaid family workers, 26 per cent own-account workers and 17 per cent wage-earners. The initial results of a special study being done by the Agricultural Training Institute indicated that there were 1,765 women extension workers.

85. Obstacles to the application of article 15 included the conflict between section 5 of Republic Act No. 7192, which provided that married women should have equal rights and thus the capacity to borrow and enter into credit arrangements under the same conditions as men, and article 106 of the Family Code, which stipulated that each spouse's right to conjugal property during marriage was inchoate and ripened into title only upon the dissolution of the marriage. The Family Code also espoused the concept of community property. In cases of disagreement over the administration or enjoyment of such property, the husband's decision prevailed, subject to recourse to the court by the wife. Married women could therefore dispose of or encumber only their own exclusive property, and that was precisely why banks were reluctant to grant loans that relied on the encumbrance of conjugal property without the spouse's consent.

86. As for the results of the initiatives contained in the Women in Development and Nation-building Act, 72 national and subnational focal points had been established, most of which undertook various projects on the mainstreaming of gender concerns in their agency's mechanisms. Other results of the Act had been that the first woman Brigadier-General had been appointed in 1993 to the Philippine National Police; that full-time homeworkers could avail themselves of social security through their working spouses; that government lending institutions were providing loans for rural women, which were repayable in five years with minimal interest and no collateral; and that wives were being issued passports in their own right.

87. Responding to questions raised under article 16, she said that, under the Family Code, either spouse could exercise any legitimate occupation without the consent of the other; administration and enjoyment of community property belonged jointly to both spouses, although the husband's decision would prevail in cases of disagreement; either spouse could dispose by will of his or her interest in the community property; either spouse could make, without the consent of the other, moderate donations from the community property for purposes of charity or on occasions of family celebrations or family distress; where a wife was abandoned by the husband or the latter failed to comply with his obligations to the family, the wife could petition the court for receivership, judicial separation of property or for the authority to be the sole administrator of the community property. The Code also provided for, inter alia, determination of the family domicile, support of the family, management of the household, exercise of parental authority and the rights of women outside marriage with respect to their property.

88. The evaluation of the marriage and family relations laws described in the second periodic report formed part of the Government's efforts to review discriminatory legislation. The Family Code was being amended, for example, to provide for judicial intervention in cases of disagreement between husband and wife over the administrative enjoyment of their conjugal partnership in properties and the exercise of joint parental authority and legal guardianship over the property of unemancipated common children.

89. Current housing policies did not discriminate against women, although the tediousness of the application process worked against them. The National Housing Authority encouraged applicants who were common-law wives to register as the beneficiaries of the housing benefit in order to protect themselves financially, should the relationship end.

90. Conflicts relating to child custody and the family were resolved by the court. In cases involving children, the best interest of the child prevailed. To date, no bill had been filed in Congress to amend article 16 of the Civil Code, which provided for the annulment of a marriage if the wife became pregnant by a man other than her husband but was silent about the case of a man who impregnated a woman not his wife.

91. Article 29 of the Civil Code provided that a married woman 21 years of age or over was qualified for all acts of civil life, except in cases specified by law. Those cases were insanity or imbecility, prodigality and civil interdiction, the latter of which deprived the offender during the time of the sentence of various rights, including the right of parental authority or guardianship, the right to marital authority and the right to manage or dispose of his or her property.

92. With respect to adultery, legislation had been introduced to accord equal rights to wives and husbands by stating that sexual infidelity on the part of either spouse was a ground for legal separation. The legislation would further amend the use of the term "concubinage" to "maintaining a paramour". As to why some Philippine women were unable to avail themselves of Muslim law, it must be remembered that only Muslims were covered by the Code of Muslim Personal Laws, and not all Philippine women were Muslims.

93. On the subject of the education of women about their rights, she said that non-governmental organizations, including the Women's Legal Bureau and the Legal Resources Centre had legal training modules. In addition, alternative law groups and human rights groups were increasingly integrating women's issues into their training programmes. While no bill on divorce was pending, the Family Code provided an alternative to divorce in that one of the grounds for the declaration of the nullity of a marriage was the psychological incapacity to fulfil the essential marital obligations. After a woman separated from her husband, she was entitled to lie separately from him, but the marriage bonds were not severed. However, since the right to cohabit or live together had ceased, the husband could not insist on having sexual intercourse with his wife.

94. With regard to the Church's influence in preventing the passage of the divorce law and the widespread use of contraceptives, as well as in foiling efforts to decriminalize abortion, she said that the Church had been able to prevent the passage of the divorce law because a majority of legislators were

Catholic. The provisions of the Revised Population Act of 1971 implied the repeal of Republic Act No. 4729, under which the sale or distribution of contraceptives had been unlawful. On the other hand, abortion constituted a class of felony under the Revised Penal Code, and that policy was supported by the 1987 Constitution, which protected the unborn from the moment of conception, thereby removing the possibility of any future law allowing abortion.

95. Information on the follow-up to the commitments given by the Government of the Philippines at the Fourth World Conference on Women was contained in the information kits which had been made available to the experts. Specifically, with regard to the girl child, measures had been adopted to address the special needs of girls in emergency situations, such as armed conflict and situations of sexual abuse. Child-friendly procedures for police investigations had been adopted, and trial judges had been enjoined to act with dispatch on all cases involving children.

96. Ms. GONZÁLEZ MARTÍNEZ, while commending the delegation of the Philippines for responding to the many questions posed by the Committee, said that the timely submission of the fourth periodic report might have obviated the need for so many questions to be raised in the first place. She acknowledged the progress which had been made in efforts to eliminate discrimination against women in the Philippines, although much more needed to be done to increase public awareness of the role of women in society and to address the problems of the subordination of women, especially within the family, violence against women and girls, and the related problems of prostitution and trafficking in persons. The international community was well aware of the action taken by the Philippines to protect the rights of migrant workers and to punish the trafficking in persons. Political will was needed, however, at the legislative level to effectively combat that scourge.

The meeting rose at 1 p.m.

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Sixteenth session

SUMMARY RECORD OF THE 328TH MEETING

Held at Headquarters, New York,
on Monday, 27 January 1997, at 3 p.m.

Chairperson: Ms. KHAN

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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

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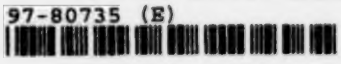

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The meeting was called to order at 3:20 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Third and fourth periodic reports of the Philippines (continued)
(CEDAW/C/PHI/3 and CEDAW/C/PHI/4)

1. At the invitation of the Chairperson, Ms. Feliciano (Philippines) and Ms. Nicolas (Philippines) took places at the Committee table.

2. Ms. BARE said that she appreciated the Government's efforts to integrate gender focal points into its programmes through presidential decrees, a step that would promote greater public accountability. She would appreciate information on any specific benchmarks that had been developed to measure improvements from one year to the next. Further details should be provided in the next report on the progress of activities to increase employment opportunities for women and to reduce female unemployment from 37 per cent to 30 per cent.

3. With regard to the Government's difficulty in gathering sex-segregated data on such issues as violence and employment in the informal sector, the lack of such data hampered the efforts of non-governmental organizations to target those areas; the national machinery for women's equality should devote more attention to that problem.

4. Ms. OUEDRAOGO said that she had been impressed by the large number of programmes and projects initiated by the Government, given the difficulties which developing countries faced in gathering the funds needed to promote equality. With regard to the large number of Philippine women working as domestic employees in other countries, she would be grateful for further data on the countries receiving the largest numbers of immigrants. If the Government was unable to lower the rate of emigration, it should consider establishing social service agencies in those countries to address the problems faced by immigrant workers. It should also set up programmes to train Philippine women in domestic work prior to their departure so as to enable them to obtain better jobs in the host countries.

5. In view of the persistence of deeply entrenched sexual stereotypes, the Government should intensify its public education campaigns and strengthen programmes to prepare young people for marriage and family life.

6. Ms. SHALEV said that the report and the written replies contained a great deal of information on laws and regulations, but very little on their actual impact. The Government's economic policies appeared to be taking a heavy toll on women, in view of the growing employment gap between men and women, the number of women employed overseas, in the informal sector and in free trade zones, the problems of trafficking and violence against women, and so on.

7. Certain laws and policies appeared to conflict with one another. For instance, in its answer to question No. 109, the Government stated that it

recognized the freedom of women and men to choose the size of their families, to practice family planning based on their own beliefs, religion and conscience and to have equal access to information, services and guidance in planning their families. Meanwhile, in its reply to question No. 107, the Government referred to the passage of the Local Government Code of 1991, which promoted the decentralization of services from the national to the local government units. On the basis of that Code, however, one provincial government had promulgated an administrative order banning the distribution of contraceptives in all public health units. Moreover, in its reply to question No. 139, the Government stated that the sale, dispensation or distribution of contraceptives had been outlawed by Republic Act 4729 of 1996; that Act, however, had been implicitly nullified by an earlier presidential decree of 1971. The relationship among those various pieces of legislation needed clarification. She also urged the Government to review its ban on abortion in fulfilment of the commitment embodied in the Beijing Platform for Action.

8. The Committee had received reports that clinical trials were being conducted of a new contraceptive and sterilization agent that had not yet undergone toxicological testing; the State party should indicate whether it was aware of such trials and whether it had taken steps to verify their legality.

9. Lastly, she was greatly concerned about the practice of forcing prostitutes to undergo medical examinations. Voluntary testing was the method favoured by most public health experts; compulsory testing tended to drive practices underground and was ineffective, furthermore, since the prostitutes' male clients were not examined. The resources devoted to compulsory testing could be better spent on educating sex workers and providing them with economic alternatives.

10. Ms. SCHÖPP-SCHILLING commended the Government for the wealth of information provided and for its energetic approach to issues affecting women. It was a positive sign that the number of women's organizations had grown from 900 to over 4,500. She was concerned, however, at the lack of monitoring systems, which posed problems not just for the advancement of women, but for the country's development in general. It was to be hoped that the next report would reflect an improvement in the techniques for measuring the impact of programmes.

11. In general, a budgetary allocation of 5 per cent appeared to be insufficient to meet women's needs.

12. It would be interesting to learn whether Philippine men supported the measures to improve the status of women. Educational programmes must also be directed towards men in order to avoid a backlash.

13. With regard to the evaluation of housework, the Government should refer to the indicators developed by the Organisation for Economic Cooperation and Development.

14. As to the role of the Catholic Church, she would appreciate information on whether Catholic women's groups were in contact with their counterparts in other countries. The Government should indicate whether it would accept assistance from other countries for the promotion of consciousness-raising activities.

15. Lastly, while the Government had done a great deal to promote women's participation in decision-making in the governmental sector, affirmative action measures were needed to achieve results in the private sector.

16. Ms. FERRER GÓMEZ said that she was concerned at the difficulties faced by the central Government in ensuring that national plans and policies were implemented at the local level. There was a need to raise awareness and monitor compliance on the part of local authorities.

17. Ms. AOUIJ said that the Committee's task had been facilitated considerably by the Government's frank recognition of the problems that remained to be addressed. Attention should be paid to two areas in particular: first, the laws were badly drafted and not yet systematically enforced. The State's primary responsibility was to ensure equality before the law by repealing or amending discriminatory legislation. Filling gaps in the law, such as the lack of specific legislation prohibiting violence against women, would contribute to changing public attitudes.

18. Second, the situation of migrant workers, over 60 per cent of whom were women, must be addressed through specific machinery at the national level, perhaps within the Ministry of Labour. Her country, Tunisia, had set an example in that regard; many of its citizens worked abroad, and a special office had been established to provide workers, prior to their departure, with an understanding of their rights and obligations under a foreign legal system.

19. Ms. NICOLAS (Philippines), replying to the questions raised, said that she would convey the Committee's comments and suggestions to her Government.

20. The lack of a monitoring system was one of the most formidable challenges faced by her Government. Efforts had been made to develop monitoring criteria for government agencies based on the establishment of gender goals, administrative guidelines, enabling mechanisms and specific programmes and projects; those proposals, however, had been rejected by the President and the Cabinet. A new, self-monitoring mechanism was currently being devised.

21. With regard to the Local Government Code, decentralization posed a dilemma for her Government: whether to concentrate on monitoring at the national or the regional level. The national leadership was having difficulty in empowering local government units.

22. While the current laws on prostitution were defective, decriminalizing prostitution was seen as tantamount to legalizing it, although non-governmental organizations favoured decriminalization.

23. Lastly, as abortion was explicitly outlawed by the Constitution, her Government could not propose a bill to overturn the ban without a constitutional amendment.

24. Ms. FELICIANO (Philippines), replying to a question raised by Ms. Shalev, said that, as indicated by her Government in its reply to question No. 139, the sale of contraceptives was not unlawful.

25. There were no statistics on the incidence of abortion; the data could be elicited only through surveys.

26. The CHAIRPERSON said that the achievements of the Philippines in mainstreaming women into development programmes had been emulated by other countries, including her own, Bangladesh. The Government had formulated effective strategies for implementing the Beijing Platform for Action. While excellent data were available in a number of areas, additional gender-segregated data would be appreciated. The report and the written replies had concentrated heavily on the administrative and legal frameworks; it was to be hoped that the next report would provide a fuller picture of the real status of women, and that legislation banning rape and domestic violence would be introduced.

27. The Committee had thus concluded its consideration of the third and fourth periodic reports of the Philippines.

The meeting rose at 4:05 p.m.

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Sixteenth session

SUMMARY RECORD OF THE 329th MEETING

Held at Headquarters, New York,
on Tuesday, 28 January 1997, at 10 a.m.

Chairperson: Ms. KHAN

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The meeting was called to order at 10.15 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Introduction of the third and fourth periodic reports of Canada (CEDAW/C/CAN/3) and (CEDAW/C/CAN/4)

1. At the invitation of the Chairperson, Ms. Bergeron de Villiers, Ms. Gavreau and Ms. Glen (Canada) took places at the Committee table.

2. Ms. BERGERON DE VILLIERS, introducing the third and fourth periodic reports of Canada (CEDAW/C/CAN/3) and (CEDAW/C/CAN/4), said that the Beijing Declaration and Platform for Action continued to underpin initiatives for advancing equality and accelerating the progress of women in Canada. In order to effectively respond to the new domestic and global socio-economic challenges which the country currently faced, arrangements between the federal and provincial and territorial governments were being reviewed through a social reform and renewal process that took account of the different impact of social programming on men and women.

3. Canada's national machinery for advancing women's equality played an important role in promoting the implementation in Canada of the Convention on the Elimination of All Forms of Discrimination against Women. An extensive network of non-governmental organizations also played an important role in providing community services for women and contributing their experience and expertise to the public policy process. Many of those organizations had participated in Canada's preparations for the Fourth World Conference on Women and were keenly interested in follow-up activities aimed at implementing the Platform for Action. Provincial and territorial jurisdictions also engaged in consultations with non-governmental organizations and the public in general in order to strengthen ties with the communities they served. Canada attached great importance to that kind of community involvement and social action and was determined to continue to build effective partnerships with all sectors of civil society in order to advance gender equality.

4. Her Government's approach to advancing gender equality was based on the recognition that gender was a factor in the nation's current social, economic, cultural and political systems and that the unequal status of women had its genesis in and was perpetuated by systemic causes. Treating women and men in identical ways would not ensure equality in outcomes because women and men experienced different social relations and living situations. The situation of women, moreover, was also affected by race, ethnicity, disability, indigenous status and income. In keeping with that approach, one of the most important components of the Federal Plan for Gender Equality was a requirement that federal departments and agencies conduct gender-based analysis of future policies and legislation in order to support gender-equality objectives. The provinces and territories were also involved in developing their respective activities to advance women's equality in many of the critical areas of concern outlined in the Platform for Action.

5. On the international front, Canada's efforts to advance equality and women's human rights were a reflection of the work that had been undertaken domestically. Her Government had continually promoted the mainstreaming of women's human rights and gender considerations in the work of international forums, including the United Nations, the Organization for Economic Cooperation and Development and the Commonwealth. It had also played a key role in bringing issues, such as violence against women, women's rights as human rights, national machinery for the advancement of women and women and decision-making, to the forefront of international discussions.

6. Turning to the legal framework, one of the main sources of protection against discrimination in Canada was the Canadian Charter of Rights and Freedoms, which guaranteed all Canadians equality before the law. Under the Charter, any person in Canada could challenge the legislation, policies and practices of federal or provincial and territorial governments if they were perceived to be discriminatory. The Charter had played a central role in shaping Canadian jurisprudence and had resulted in some significant practical advances for women. For example, the Supreme Court had held that the principles of fundamental justice dictated that the admission into evidence of a woman's sexual history, unless directly relevant to the person accused of sexually assaulting her, discriminated against the victim.

7. An important development in the area of women's legal rights was the reinstatement in 1994 of the Court Challenges Programme, which had played a vital role in providing financial assistance to enable individuals from official linguistic minorities and groups seeking equality to launch test cases under the Charter. Another advance in the area of equality rights was the addition in 1996 of sexual orientation as a prohibited ground of discrimination under the Canadian Human Rights Act. The amendment brought the Act into line with the provisions of the Canadian Charter of Rights and Freedoms and would help to ensure that gays and lesbians were afforded the same basic protection from discrimination as all other Canadians.

8. Canada had recently taken a number of initiatives to advance women's equality, particularly in the economic and social field. In order to promote the economic autonomy of women, a package of amendments to the Employment Equity Act had been adopted in October 1996 to ensure the fair representation of women, visible minorities, people with disabilities and aboriginal people throughout the workforce. The new legislation broadened the application of the Act to include the federal public service, federally regulated companies with more than 100 employees and companies doing business with the federal Government. In addition, it enlarged the mandate of the Canadian Human Rights Commission to monitor compliance under the Act and strengthened the compliance review process.

9. A child-support package was due to take effect in 1997 with the aim of establishing a fairer and more consistent child support system and enhancing the income supplements paid to lower-income families. Those changes, together with changes in the way in which the payments were taxed, would help to ensure greater economic security for women and children in different types of families. Given that most custodial parents in cases of divorce were women, those changes represented a significant advance for women.

10. Other initiatives included new employment insurance legislation that reflected the gender analysis undertaken on the basis of the Federal Plan for Gender Equality and the Beijing commitments; the ongoing improvement of statistics and indicators as a means of assessing the economic situation of women and of identifying obstacles; the promotion at the provincial and territorial levels of economic autonomy and equality for women through information sharing and skills development in the important areas of entrepreneurship and financial planning; and work in the area of measuring and valuing unpaid household work.

11. Another major Government priority was the elimination of systemic violence against women, which was a complex problem that had its roots in women's social and economic inequality and cut across all social, racial and economic boundaries. In recent years, the Government had undertaken extensive research to obtain a better understanding of the dimensions of violence against women in Canada and had adopted an approach to the problem that was both comprehensive and holistic. That approach involved both broad-based measures to improve women's economic autonomy and social equality and specific actions directed to the health, social and criminal justice systems as well as to schools and workplaces and to the creation of greater awareness among the public at large.

12. Federal initiatives included, for example, the establishment of emergency shelters and longer-term housing for battered women and their families and the introduction of a broad range of legislative measures to combat violence, including new restrictions on the ownership and use of firearms, measures to improve the effectiveness of restraining orders, and criminal prohibitions against stalking. Recently introduced legislation would amend the Criminal Code to allow the prosecution in Canada of Canadians who travelled abroad to sexually exploit children and would strengthen the penalties against those who exploited juvenile prostitutes in Canada. The legislation also expressly prohibited the practice of female genital mutilation in Canada.

13. A number of efforts had been made to bring about improvements in the lives of aboriginal women and break the cycle of dependency, lost productivity and increasing social expenditures that reflected the conditions of many of Canada's aboriginal communities. One such initiative was the establishment of the Royal Commission on Aboriginal Peoples, which had recommended that aboriginal women should be specifically included in any process to define the powers of aboriginal governments and should be assured of full and equal participation in decision-making bodies responsible for developing and implementing measures to ensure their physical and emotional security. The Commission had also recommended that aboriginal leaders should take a firm public stand in support of the right to freedom from violence for all community members, especially women, children, elders and the disabled. Other recommendations related to economic development, education and training, housing, health and family law. The Commission's report formed a significant body of work, and its wide range of recommendations would play an important role in informing public debate and policy making.

14. Attention was also being focused on the important area of women's health. Since women constituted the majority of both health care providers and health care consumers in Canada, it was vital that all levels of government should work

together to ensure that women in Canada continued to have access to appropriate health care services. One important initiative under that rubric was a five-year programme to establish five multidisciplinary centres across the country that would provide policy advice to Governments and health organizations and build networks of individuals and groups involved in women's health locally, nationally and internationally. Other initiatives were aimed at enhancing the health system's understanding of and responsiveness to women's health issues and at ensuring that women shared equally in the benefits of the development of new pharmaceutical products.

15. In the years ahead, her Government's priorities would be to enhance the economic autonomy of women and to eliminate systemic violence against women and children, thereby addressing two serious human rights problems currently faced by women in Canada. Many of the gains outlined in her report had been due to the collaborative efforts of a broad range of players from all sectors of Canadian society. Her Government believed that the continued commitment to such partnerships was the key to advancing the status of women in Canada.

16. Turning to the Committee's questions, which had been received in advance of the meeting, she declared that extensive intergovernmental consultation and collaboration had gone into the preparation of the responses. Those questions which related specifically to the provinces and territories had been answered to the extent possible, but a number of responses were still pending; they would be submitted as part of Canada's fifth periodic report. In responding to the questions asked, she would read selectively from the unofficial working report which had been made available to the Committee and refer members to the report and its related annexes for additional information.

17. The Canadian Multiculturalism Act acknowledged that people of many cultures had contributed to the country's development, and that all had a continuing role to play. The Government was working to identify and eliminate barriers and prejudice, the aim being to promote multiculturalism through encouragement rather than coercive measures. The Act underlined the commitment made in the Canadian Charter of Rights and Freedoms to promote equality.

18. The four-year initiative to provide employment and business opportunities for aboriginal women had been overseen by a national non-governmental organization comprising aboriginal women's associations. Further programmes were in hand, including procurement measures designed to increase the numbers of aboriginal businesses bidding for federal contracts.

19. The courts had determined that jurisdiction over human rights belonged to the level of government which regulated the activity in question. Roughly 11 per cent of the workforce came under federal jurisdiction, specifically the Canadian Human Rights Act; the rest was covered by provincial and territorial legislation providing similar protection. An overall review of the Human Rights Act was continuing.

20. The Federal Plan for Gender Equality contained strategic goals and commitments to the year 2000 and constituted the underpinning of the Government's implementation of the Beijing Platform for Action. The principal objective was the implementation of gender-based analysis in the work of the

federal Government in policy and legislative areas. Federal, provincial and territorial ministers responsible for the status of women worked in various areas of common interest, such as economic equality, and monitored implementation of the Platform for Action. Status of Women Canada monitored implementation of the Federal Plan and worked with other organizations for gender equality.

21. Free copies of the Convention and Canada's report were available to the public. Although only three non-governmental organizations had submitted comments on the third periodic report, it should be noted that one of them was the National Action Committee on the Status of Women, an umbrella organization representing some 500 women's organizations. The Government continued to consult with women's organizations on Convention-related issues.

22. The identification of obstacles at the federal level to the de facto advancement of women was being pursued through consultation on policy priorities with women's organizations. Many initiatives had built-in policy and programme reviews. The improvement of statistics and indicators also helped to assess the situation of women and identify obstacles. One example was the inclusion, in the 1996 census, of questions on unpaid work.

23. In Prince Edward Island there were no specific legislative measures to implement article 3 of the Convention other than the Pay Equity Act. Most senior political positions in the province had been held by women for some years, but political parties were concerned at the low number of women candidates now running for election. Women were also represented on the province's Supreme Court bench.

24. Legislation in the Northwest Territories prohibited discrimination on the basis of sex, and the Department of Justice investigated complaints. An affirmative action policy in the territory gave preference after aboriginal applicants, to women applying to non-traditional or management positions.

25. There was a new and strengthened Employment Equity Act, subject to parliamentary review every five years. Human Resources Development Canada monitored pay equity in federally regulated establishments.

26. In Nova Scotia, the provincial government agreement had had the most impact of the 33 affirmative action programmes. An updated policy was being launched, specifying the commitment to promote equality in the workplace for racially visible persons, persons with disabilities, and women; to ensure that designated groups were proportionally represented in all positions and at all levels of the Civil Service; and to remove barriers to the advancement of designated groups. All government departments would be required to formulate affirmative action plans and to document progress.

27. The Criminal Code made any involvement with child pornography an offence. Cases were prosecuted at the provincial level, since the enforcement of criminal law was under the jurisdiction of provincial attorneys-general.

28. There was no new legislation on obscenity. The Criminal Code made it illegal to deal in obscene materials, namely, works representing undue

exploitation of sex, a concept defined by the courts. The Supreme Court had recently held that any infringement of freedom of expression was justified in view of the harm to society otherwise. The importation into Canada of obscene materials and child pornography was prohibited.

29. With regard to the representation of women in decision-making positions in the mass media, a number of initiatives had been taken by Canadian Women in Communications, a national organization for the advancement of women in the communications industry.

30. With respect to the sexual abuse of children, the federal Government had introduced an Action Plan for Children which, inter alia, addressed the plight of victims of sexual and other abuse or neglect. Other measures had also been adopted to reduce child abuse and keep children from being placed at risk. There were no reliable longitudinal statistics on the sexual abuse of children.

31. There was no specific federal law to address domestic violence, but the federal Government had undertaken numerous legislative reforms to improve the criminal justice system's response. Specifically, a new offence of criminal harassment had been created to address stalking; the provisions governing peace bonds had been strengthened; the abuse of a spouse or child had been made an aggravating factor in sentencing provisions; and criminal harassment provisions had been strengthened. The federal Government was currently reassessing its approach to family violence in the context of a broader strategy to address violence in society, an issue on which federal, provincial and territorial authorities worked together.

32. In Nova Scotia, transition house services were available for aboriginal women suffering from family violence, as were information and referral services. Interpretation services were provided in transition houses. In the Yukon, family violence programmes were available to all women and girls.

33. The Government continued to implement a long-term, multidisciplinary approach to family violence, comprising a number of initiatives, including training for the police on violence in relationships. There was no single federal law on violence or violence against women, but the Government was committed to the eradication of all violence against women. As to whether violence against women was considered discrimination on the basis of sex, the Canadian Human Rights Act expressly prohibited sexual harassment as a form of discrimination. At the provincial level, the Nova Scotia Human Rights Act explicitly referred to sexual harassment, but did not restrict it to women.

34. Non-governmental organizations were generally involved in support activities for victims of sexual violence through shelters and centres, and provided other services to abused women and their children. They had been very active in developing strategies to end violence against women and children. The federal Government had given some financial support in that regard.

35. There were no reliable longitudinal statistics on violence against women. Most such crimes were not reported, but a 1993 survey had estimated that 29 per cent of Canadian women living with a man had been assaulted. Only 26 per cent of wife assault cases reported in that survey had been reported to

the police. Some 85,000 women and dependent children had been admitted to transition homes in 1994-1995.

36. Programmes had been undertaken in Newfoundland and other provinces aimed at giving girls and boys an equal start in terms of their development as individuals. Provincial authorities in Nova Scotia had conducted educational programmes to foster positive images of girls and women. In the Northwest Territories, a series of television advertisements had been produced on the issue of violence against women.

37. While Canadian sentencing statistics did not identify the gender of the victims of violent crimes, there were certain offences whose victims were primarily female, so that statistics for those offences revealed to some degree the sentences imposed on those who had committed violence against women. In 1995 female victims had accounted for 49 per cent of victims of violent crimes, 84 per cent of victims of sexual assault, and 46 per cent of victims of non-sexual assault. A significant percentage of those convicted of such offences had been incarcerated, ranging from 29 per cent in the case of non-sexual assault to 65 per cent in the case of sexual assault.

38. Prostitution itself was not illegal in Canada, but three categories of prostitution-related activities were illegal under the Criminal Code. The provisions were designed to prevent persons from being forced into a life of prostitution. Customers, as well as prostitutes, were subject to sanction. With regard to juvenile prostitution, all indictable offences had increased penalties where a prostitute was under 18 years of age.

39. The actual number of women and girls involved in prostitution was almost impossible to determine, but it appeared from Department of Justice research that the numbers of women on the street had increased recently, despite law enforcement efforts. In 1995 the average age of females communicating in public for the purpose of engaging in prostitution had been 28 years. A recent study suggested that most female street prostitutes had failed to complete high school and had limited job skills, and that most had criminal records. There was also evidence of increased crime against prostitutes, related in part to their reliance on drugs. It was not possible to state whether prostitutes were more prone to be victims of violence than other women. No information was available on the percentage of prostitutes who were immigrants, illegal or otherwise.

40. The Government recognized the importance of shelters and rehabilitation for prostitutes, and there was general acknowledgement of the need for substance abuse programmes and training and employment opportunities. Training for justice personnel and those working with prostitutes was also a priority. The provinces had responsibility for programme delivery.

41. With regard to the incidence of violence against prostitutes, she said that a recent study had revealed that physical and sexual assaults on prostitutes were commonly carried out by clients, pimps and boyfriends. In 1995, police reports had revealed that 4 in 10 incidents involving procuring had also involved at least one other criminal violation, and in almost half of such incidents, a sexual or other assault had been recorded. Known prostitutes had

represented 5 per cent of all female homicides reported between 1991 and 1995. Most such murders went unsolved.

42. The Criminal Code and the Canada Evidence Act had been amended in January 1988, and three new offences related to the sexual abuse of children established. The rules of evidence and procedure with respect to sexual offences and the testimony of young persons had also been changed, with a view to improving the protection of child sexual abuse victims and witnesses, increasing the successful prosecution of cases, easing the burden of testifying in court for young complainants and bringing sentencing in line with the severity of the offence. Implementation of the legislative reforms had been supported by the development of legal information for legal professionals and the public, project funding, research and a communications campaign. The Department of Justice had undertaken research to assess the impact of the new legislation, and had found, inter alia, an increase in the reporting of child sexual abuse cases to police, an increase in the number of charges brought by the police and a high rate of overall conviction.

43. Women's participation in politics had risen over the past decade: 18 per cent of members of the Parliament were women, and at provincial level, there were 133 women out of a total of 756. There were a number of possible reasons for this increase in representation, such as increases in women's post-secondary education and participation in the paid labour force. Lower fertility rates and/or improved sharing of family responsibilities could also be factors. Political parties had instituted a number of special measures to increase women's representation, and the 1990s had seen the election of the first woman prime minister, the first woman as head of a national political party, the first woman deputy prime minister and the first woman elected as premier.

44. Women continued to be under-represented on almost every court in Canada, and although there had been progress in recent years, the pace of change in appointments was modest. One possible reason for that was that many women, particularly those with family responsibilities, did not have the opportunity to gain the experience necessary in order to meet the criteria for appointment.

45. With regard to the findings of the study on the advancement of women in the civil service, she said that the publication of the Public Task Force Report on Barriers to Women in the Public Service in 1990 had led to the introduction of a wide range of measures in departments and agencies to attract, train and retain women at all levels and occupational groups in the public service, with a view to assisting employees in balancing work and family responsibilities. Such measures included the introduction of flexible hours, a variable work week and the ability to work at home.

46. In 1991, the Consultation Group on Employment Equity for Women had been established, in order to advise the Secretary of the Treasury Board Secretariat on matters related to the recruitment, retention and career development of women in the public service, and considerable progress had been made. As of June 1996, women represented 21.3 per cent of those at executive level. The Treasury Board Secretariat had, in November 1996, held a conference for

employees aspiring to enter senior ranks, and owing to demand, another was planned for March 1997.

47. Ms. GAVREAU (Canada) said that Canada's third periodic report had stated in paragraph 351 that progress in the representation of women in the public service in Quebec was irregular. That situation had changed during the period covered by the fourth periodic report, as shown in the statistics contained in annex I. The statistics did not, however, take all factors into account. Women with relatively little experience, especially those who had obtained posts through the affirmative action programme in the public service, had been the first to be affected by post cuts based on the number of years of experience. A record number of women had been appointed to high office in Quebec: in January 1997, women occupied 24 per cent of posts at deputy minister level.

48. Ms. BERGERON DE VILLIERS said that since February 1989, the Canadian forces had had a policy of permitting women to serve in all occupations of the military, with the exception of current submarines. That exception had been made because an adequate level of privacy could not be provided.

49. Women in the military did still experience problems, most of which could be dealt with through the normal chain of command. More complex issues were handled by a number of agencies, including two sections within the Directorate of Personnel Policy and the Minister's Advisory Board.

50. Women had represented 6 per cent of Canada's Gulf War contingent and 5 per cent of Canada's participation in Yugoslavia. Although the percentage of women in the military had steadily increased over the last 20 years, no studies had been carried out on the overall impact of their increased numbers. However, a number of positive changes had been made in overall personnel policy.

51. Heads of diplomatic missions were selected primarily from among senior career officers. To have reached that level, officers would normally have been in the Department for more than 20 years. Since fewer women had been recruited as junior officers in earlier years, women were still under-represented at senior levels, but that lack of balance in recruitment had been corrected, and more women would progressively become available to fill head-of-mission positions. There were currently 20 women among the 104 heads of diplomatic missions.

52. Recruitment for the Foreign Service was by means of an annual written examination for those meeting the basic requirements. On the basis of the results of that examination, a pool of candidates to be interviewed was established, and since 1995, it had been guaranteed that an equal number of male and female candidates would be interviewed. The most successful candidates were offered positions as Foreign Service Officers. Since 1993, women had represented 50 per cent of total foreign service recruitment. The number of appointments in any given year was determined by the vacancy rate, and the qualifications necessary and the recruitment method used was the same for men and women. Measures intended to address such issues as spousal employment and the educational needs of children were available to both men and women officers. Marriage by a male or female diplomat to a foreigner did not have career implications.

53. The need for a proportional gender representation was a key concern, factored into staffing decisions relative to vacancies in missions abroad and at headquarters. It was also a factor in the support of Canadian candidates for appointment to international organizations of which Canada was a member.

54. Statistics showed that women represented 30 per cent of overseas staff in Canada's development agencies, and that 54.5 per cent of them were married or in a common law union. No information was available on how women balanced work and family life.

55. The Canada Scholarships Programme had ended in 1995. Canada Student Loans had a Special Opportunities Grant for women doing doctoral studies in disciplines where women were traditionally under-represented. No data had yet been collected on that programme. The earnings of women holding a Ph.D. were equal to the earnings of similarly qualified men.

56. Rather than using specific policies to change the tendency of women to study in traditional women's fields, efforts had been directed to ensuring that women were able to make choices, without discrimination, to fulfil their own aspirations and potentials in all fields.

57. Ms. GAVREAU (Canada) said that the statistics for 1990 to 1994 in Quebec showed a slight decrease in the percentage of women studying in traditional women's fields, and a 5 per cent increase in the percentage of women gaining science qualifications. A much more significant increase, of nearly 100 per cent, had been seen in those qualifying in business management and commerce. In Quebec, the construction industry had historically been closed to women. Laws had been passed in 1995 to enable women to work in that industry.

58. Ms. BERGERON DE VILLIERS (Canada) said that new tax measures proposed in the 1996 federal budget, including eligibility for the child-care expense deduction and education credit, would provide additional assistance to women students.

59. With regard to literacy rates, she noted that women had scored slightly higher than men in one of the three categories of literacy developed by the 1994 International Adult Literacy Survey. A breakdown of literacy rates by region and gender was provided in the documentation.

60. Statistics for 1993 indicated an average drop-out rate of 14 per cent for women at secondary school level, compared to 22 per cent for men. Data for post-secondary education were not yet available.

61. The Nova Scotia Teachers' Union actively promoted the advancement of women through its Women's Committee, as did the organization Women in Education. The Deputy Minister of Education and Culture was a woman.

62. The Government of Canada had taken a number of measures in order to provide support to Canadians in need. It also recognized that long-term improvement for low-income families required people to have the skills necessary to feed into the job market of the future. Action was therefore being taken to help Canadians find and keep jobs.

63. The Canadian Charter of Rights and Freedoms and the Canadian Human Rights Act provided women in the most vulnerable sectors with protection in a number of ways. Section 15 of the Charter covered issues of disadvantage, stereotyping and political powerlessness, and as a result the courts had held that sexual orientation and marital status were also covered by that section. Vulnerable groups of women, including aboriginal women and women with acquired immunodeficiency syndrome (AIDS), were protected against discrimination by the human rights legislation in every province and territory.

64. Efforts were being made to take into account the differing impact on women and men of the increased globalization of the economy. It was recognized that in the short term the effects of free trade agreements would be uneven, with some sectors benefiting more than others. However, such agreements were expected to boost the economy and bring more jobs and prosperity to all Canadians. Leaders of the 18 economies involved in the Asia Pacific Economic Cooperation Initiative had given instructions to encourage the full participation of women in that partnership.

65. No information was currently available on the effects of the downsizing of the public sector on women or men. The new employment insurance programme would include active labour market measures designed to help unemployed Canadians find new jobs. It was also intended to improve benefits for low-income families.

66. There had been a consistent increase in the number of women in the top six employment occupational groups since 1981. There was a majority of women in the professional and semi-professional occupational groups. The number of jobs defined as "non-traditional" occupations for women had been substantially reduced since 1981.

67. The Women's Division in the Department of Labour in Prince Edward Island had been reorganized in order to make the body more effective. The intention was to integrate gender analysis into the study of government policies and programmes.

68. According to the 1991 census, the labour force participation rate of immigrant women was lower than that of non-immigrant women. However, on average, immigrant women earned more than non-immigrant women. The Committee was referred to the highlights of the 1991 census results. Canada was committed to employment equity for all permanent residents and citizens. Since a lack of education or lack of knowledge of one of Canada's official languages could make it difficult to participate in the labour force, Canada's settlement programmes offered immigrants and refugees orientation, language training and assistance in accessing general public services. While the objective was to assist all newcomers, such programmes were designed to encourage women in particular to participate fully in Canadian society, without fear of discrimination. The rights and responsibilities of being a member of Canadian society, including women's rights, were important themes in all settlement programming and materials. Statistics were given in the documentation of the labour force participation rate of the Canadian-born and immigrants for 1991.

69. Canada was not currently suffering an economic recession. However, the importance of providing reasonable income protection to those raising families on a low income was recognized by the new employment insurance system.

70. In 1995, 7,410 Canadian men had taken advantage of the parental leave programme. In contrast, 158,510 women, or 95.5 per cent of total eligible parents, had taken advantage of that leave.

71. The Government provided support for low-income parents through a number of innovative projects, such as the project giving single parents on welfare an earnings supplement to leave welfare for full-time employment. Tools and support were provided for low-income parents, in order to enable them to make the transition from government-support systems to employment. Increased access to post-secondary education had been facilitated by the introduction of grants to students in need, such as single mothers.

72. The province of Nova Scotia operated a two-tier social assistance system. The Family Benefits Programme provided assistance to those whose need was likely to be prolonged. Single parents, 97.5 per cent of whom were female, made up 42 per cent of recipients. Assistance was also available at municipal level, at rates varying in accordance with the financial well-being of the towns. Such municipal assistance programmes were mostly of a temporary nature, and if a person required long-term assistance, a request for provincial assistance would be made. The Pharmacare programme covering drug prescription costs had been extended in 1994 to include single-parent recipients.

73. In 1991, the Economic Development for Canadian Aboriginal Women Incorporated (EDCAW) had been established, with a mandate to provide aboriginal women with better access and support in establishing economic and business opportunities. The intention was not to promote women's employment in non-traditional occupations, but rather to break down the barriers faced by aboriginal women seeking jobs. In March 1996, the Board of EDCAW had agreed that it had met its objectives, and it was closed. The Aboriginal Women's Programme, which had not been involved with EDCAW, continued to promote aboriginal women's development and participation.

74. In 1991, there were approximately 522,500 aboriginal women in Canada, constituting slightly more than half of the aboriginal population. Increasing numbers of them were pursuing post-secondary (13.3 per cent in 1991) or secondary (43 per cent) education, while over 26 per cent reported training in trades occupations. Approximately 66 per cent of students assisted under the Department of Indian Affairs and Northern Development's post-secondary education support programmes were Registered Indian women. Moreover, the total female aboriginal population had a labour-force participation rate of 57.2 per cent; they constituted 3.8 per cent of the total female population of Canada, but only 3.0 per cent of the female workforce. The 1991 Aboriginal Workforce Participation Initiative had resulted in increased aboriginal employment in the federal public service and other sectors, and efforts were being made to maintain a gender balance in access to component programmes of the Initiative.

75. The Canada Labour Code had been revised to reflect appropriate gender language. Efforts were being made in Canada to assure that language referring to women and men was used appropriately, accurately and clearly.

76. The Labour Code provided officers of the Department of Human Resources Development Canada (HRDC) with the power to investigate gender-based pay discrimination by federal-jurisdiction employers. In 1984, HRDC developed an Equal Pay Programme to change the way employers, unions and others viewed and valued "women's work", aimed at eliminating gender-based wage discrimination in employment within federal jurisdiction and monitoring employers' compliance with the law. Compliance verification procedures were strengthened in 1994 with the addition of a comprehensive audit process, and the Department was also working to increase the level of union involvement in equal pay issues. Significant progress had also been made in the federal public service in the implementation of pay equity; the Government was working with the Canadian Human Rights Commission and the unions to finalize a major revision in the valuation of federal public service work and to design a gender-neutral plan for that purpose.

77. Ms. GAVREAU (Canada) said that the principle of equal pay for equal work had been included in the Quebec Charter of Human Rights and Freedoms since the adoption of that document in 1975, but women continued to receive only 70 per cent of the average male salary for full-time work. The Salary Equity Act of 1996 was one measure put forward by Quebec to respond to the legitimate aspirations of those in "women's occupations" for true recognition of the value of their labour. The Salary Equity Commission administered the Act, and the Minister of Labour was responsible for its implementation.

78. Ms. BERGERON DE VILLIERS (Canada) said that sexual harassment had been expressly forbidden at the federal level under the Canadian Human Rights Act. In 1995, 54 complaints of sexual harassment had been filed under that Act. Moreover, sections of the Canada Labour Code required that all federally regulated private-sector employers must have a sexual harassment policy, which must be communicated to employees.

79. In 2001, a new system of retirement benefits would replace transfer payments to the elderly, and would include a new Seniors Benefit for low-income Canadians that would improve conditions for 90 per cent of elderly single women. In view of rising costs and changing demographic conditions, the federal, provincial and territorial governments were also reviewing options for reforming the Canada Pension Plan. In examining options for reform, the federal Government was taking into account the differential impact on women and men of potential policy changes.

80. The increasing number of women living alone, particularly elderly women, resulted largely from their having outlived their husbands. The Division of Aging and Seniors of the department of Health Canada addressed the needs of senior women in particular, providing advice, education, research and programming in partnership with other sectors.

81. No reliable data were available on participation in the "Language at Work" strategy. As a training programme, it would also be affected by the

Government's proposal to turn responsibility for federally funded employment measures over to provinces and territories.

82. Legal restrictions on abortion were removed in 1988. Every province and territory in Canada currently provided for insured coverage of medically necessary abortions, although access varied both within and among individual provinces.

83. To some extent, the drop in pregnancy rates at younger ages reflected women postponing pregnancy and childbirth to pursue education and employment. The increasing importance to household income of women's participation in the workforce, combined with the high costs of having children, the availability of birth control and access to maternal and other health care, contributed to many women's decisions to delay childbearing.

84. Following the 1993 report of the Royal Commission on New Reproductive Technologies and the declaration of an interim moratorium on a number of unacceptable practices, legislation had been introduced to prohibit 13 unacceptable uses of new reproductive and genetic technologies. Governments generally provided information about the purposes and methods of family planning, prevention of sexually transmitted diseases and the promotion of healthy sexuality. Such programmes also promoted research concerning sexual and reproductive health and sexually transmitted diseases. The Government was also developing a Framework for Sexual and Reproductive Health with input from provinces, territories and non-governmental organizations.

85. Through a variety of initiatives, Health Canada was collaborating with other federal departments, aboriginal associations and groups, the provinces and territories and non-governmental organizations to reduce the harm to women caused by alcohol and other drugs.

86. Suicide rates for females were 1.9 per 100,000 aged 10 to 14, 4.6 per 100,000 aged 15 to 19, 6.5 per 100,000 aged 20 to 44, and 7.9 per 100,000 aged 45 to 64. No data were available for those over age 65. There was no way to know whether or not a correlation existed between sexual exploitation and substance abuse or suicide. Rape, incest, and sexual abuse were under-reported, and victims of those crimes were not followed to determine the long-term impact on their lives.

87. The Court Challenges Programme was reinstated in 1993 and was currently funding challenges to federal laws or actions involving official language rights or equality rights guaranteed under the Canadian Charter of Rights and Freedoms. Funding for court challenges was also available to women's groups under the programme. Criminal and civil legal aid services were provided by provincial and territorial governments, with government financial assistance for the delivery of criminal legal aid services. Women used approximately 70 per cent of the civil legal aid certificates issued, and civil legal aid issues relative to the rights and protection of women were under discussion by the Department of Justice and women's groups. There did not appear to have been a backlash in Canada because of the equality guarantees of the Charter; rather, Charter jurisprudence appeared to have had a beneficial legal effect on women, and to have contributed to a more positive view of their status in society. Moreover,

three women had been appointed judges on the Supreme Court of Canada, one of whom had since retired.

88. The most important contributing factor to the high divorce rate of 1987 that followed the revised divorce legislation of 1986 was thought to have been that legislation's reduction of the period of separation (as a ground for divorce) to one year from three or five. Trends in divorce since that time had seen the rate stabilize in the 1990s at about 275 per 100,000 population.

89. While each jurisdiction (federal, provincial or territorial) was responsible for developing and implementing its own strategies for harmonizing work and family responsibilities, the federal Government had put in place a number of programmes and policies, including the Canada Assistance Plan, the First Nation-Inuit Child Care Initiative, the Improved Access to Child Care project, the Child Tax Benefit and the Working Income Supplement. The Canada Labour Code also had enhanced maternity and parental benefits, and the federal Government was providing funding for joint labour-management projects in the workplace in order to raise awareness of issues related to balancing the demands of work and family. Project results were widely disseminated to the business and labour communities.

90. Many policies supported the sharing of family responsibilities, and new information on the value and patterns of women's and men's paid and unpaid work was beginning to be used in policy-related research by Government and others.

91. "Setting the Stage for the Next Century: The Federal Plan for Gender Equality" was the federal Government's framework for implementing the Platform for Action of the Fourth World Conference on Women. It had committed all 24 federal departments and agencies to undertake a gender-based approach in developing government legislation and programmes. A manual had been developed to assist departments in implementing gender-based analysis, and specific departmental training was being developed. Provincial and territorial governments were also using the Platform for Action in the development of their own approaches to advancing women's equality, and non-governmental organizations had initiated a network to monitor implementation of the Platform throughout Canada. The introduction of gender-based analysis for policies and legislation was the key instrument for the integration of a gender approach for all government departments and agencies.

92. Processes and mechanisms for encouraging the participation of non-governmental organizations in the implementation and monitoring of the Platform for Action were being put in place by various government departments. For example, to ensure the incorporation of a gender perspective, women's non-governmental organizations were participating in the preparation of Canada's national report for the United Nations Conference on Human Settlements. The Department of Justice hosted a yearly consultation on violence against women, with representatives of more than 60 women's equality-seeking organizations.

93. Financial support was also being provided to non-governmental organizations by Status of Women Canada for various post-Beijing activities to sustain the momentum of the Fourth World Conference on Women. Status of Women Canada was the central agent for coordinating the implementation of the Federal Plan for

Gender Equality. The Canadian International Development Agency (CIDA) was supporting the implementation of the Beijing Platform for Action as part of its ongoing programming activities. Policy guidelines on women in development had been in place at CIDA since 1976.

The meeting rose at 1 p.m.

UNITED NATIONS

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Convention on the Elimination of All Forms of Discrimination against Women

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Sixteenth session

SUMMARY RECORD OF THE 330th MEETING

Held at Headquarters, New York
on Tuesday, 28 January 1996, at 3 p.m.

Chairperson: Ms. KHAN

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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION (continued)

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97-80747 (E)

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The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION.

Third and fourth periodic reports of Canada (continued)
(CEDAW/C/CAN/3 and CEDAW/C/CAN/4)

1. At the invitation of the invitation of the Chairperson, Ms. Bergeron de Villiers (Canada) took a place at the Committee table.

2. Ms. AOUIJ said that it was commendable that the Canadian Government had harmonized its policies and programmes, taking into account its national priorities and international requirements, had established a symbiosis between the Federal Plan for gender equality, the Beijing Platform for Action, and the norms of the Convention and had taken important measures, especially to increase the economic autonomy of women and their equality at the social level. Social readjustments were essential to any economic development policy since vulnerable groups, especially women, were most likely to be afflicted by poverty. Canada's social development policy was humane and just; there was no exclusion or marginalization, and human rights were respected.

3. The equality of the sexes was a principle of the Canadian Charter of Rights and Freedoms; the equality of women must be guaranteed in the law, and in access to the law. Jurisprudence was very important as a source of law, and as an engine of social progress. Judges needed to be trained in questions of equality and international law; women must be represented in the courts and in decision-making posts. Legal assistance, especially in sectors in which women were directly involved, was important to women in achieving their right to equality; she asked what legislation was in force in Canada with regard to such assistance.

4. Although steps had been taken by the Government of Canada and by non-governmental organizations to publicize and eradicate violence against women, there was no legislation which explicitly prohibited and penalized such violence; she asked what the socio-economic reasons were for the silence of the law in that respect.

5. She requested further information on the wage parity legislation in Quebec.

6. Ms. ABAKA said that, through the Canadian International Development Agency, Canada had shown a commitment to addressing the equality and empowerment of women in developing countries, especially in the area of education.

7. The increase in teenage pregnancy rates in Canada was disturbing, particularly since over 80 per cent of the girls concerned were single mothers. For adolescent mothers from low-income families, teenage pregnancy and parenthood often led to long-term poverty and dependence, and had a strong correlation with low levels of educational achievement. The increasing proportion of late abortions performed on teenage girls gave cause for concern, because of the high rate of medical complications. She asked what was being done to equip young people to make healthy decisions about sexuality, what action was being taken by the provinces and territories to implement the 1994

guidelines on reproductive and sexual health, and whether non-governmental organizations like Planned Parenthood were being encouraged to work with schools to institute reproductive and sexual health programmes.

8. The move towards privatization of health care services in Canada could cause problems for women, as providers and consumers of health care, since privatization often led to a lack of accessibility or inferior services for vulnerable groups, including women, the elderly and minority groups; she asked what policies and measures were envisaged to combat the problems that were likely to arise.

9. Ms. CARTWRIGHT asked whether the Canadian Charter of Rights and Freedoms covered the full range of human rights, civil, political, economic, social and cultural, and how influential it was in the courts, compared with the Convention.

10. On the question of women in the judiciary, she was concerned that there were only two female judges in the supreme court. The Government of Canada might not be doing enough to bring about a higher proportion of women in the judiciary, especially at the supreme court level.

11. Ms. BUSTELO GARCÍA DEL REAL said that the information provided in connection with article 6 of the Convention showed that the Government of Canada must do more to investigate the situation of women who were victims of prostitution, violence against prostitutes, and traffic in women. In view of the high percentage of unsolved homicides, the Government of Canada must devote more efforts and resources to research on prostitution.

12. Information was needed on the results of the study on the inclusion in national accounting of unpaid women's work, in accordance with the Beijing Platform for Action. She asked whether the gap in pay for men and women was still being narrowed.

13. She asked whether the RU-486 pill was being used in Canada for induced abortions.

14. In its official development assistance, the Government of Canada was using the Beijing Platform for Action as a basis for the objectives to be achieved; she asked whether it was also encouraging recipient countries to implement or ratify the Convention, which had even greater force and importance than the Platform for Action.

15. Ms. OUEDRAOGO said that more specific information was needed about women prisoners in Canada, many of whom were aboriginal or refugee women, with regard to the types of crimes they had committed and their socio-economic rehabilitation. She was concerned about the abolition of the social assistance system; some social groups would always need assistance, especially minority and disadvantaged groups; she asked whether the system was being replaced by any type of socio-economic rehabilitation programmes, and what was being done for vulnerable groups such as the poor and the handicapped. The rising divorce rate was alarming because of the disintegration of families and the problems that ensued. Developing countries were concerned about that trend in developed countries, because of the implications for their own future.

16. Ms. SATO said that the fourth periodic report described the enactment by the Government of Ontario of the Employment Equity Act 1994; however, a Canadian non-governmental organization had reported that the Employment Equity Act had been repealed in 1995 and the commission established to oversee the implementation of the legislation had been abolished; she asked why the Act had been repealed, and why the commission had been abolished.

17. Ms. GONZÁLES-MARTÍNEZ said that it was unfortunate that the fourth periodic report had been received at the last minute; moreover, its structure did not facilitate a rapid analysis of the degree of implementation of the articles of the Convention.

18. The third periodic report did not provide information on whether a specific law had been promulgated to penalize violence against women. The information on Ontario in the fourth periodic report referred to various measures which had been taken to combat family violence, and in the oral replies there had been reference to various activities which had been undertaken in that respect; it had been indicated that, under the affirmative action policy in the Northwest Territories, qualified women aspiring to non-traditional or management positions in the public service were given preference after aboriginal people; she asked why applicants could declare their eligibility under only one category. She also asked why the legislation differed in different provinces and territories of Canada.

19. Ms. TALLAWY said it was commendable that Canada had granted asylum to some women on grounds of gender discrimination; that was a breakthrough in the international legal sphere. She noted that Canada's official development assistance included an increased number of projects for women in third world countries.

20. It was disturbing that poverty existed in Canada, a developed country; it was hard to understand why social assistance plans and programmes were being repealed. She also asked why legal aid was provided to women in criminal cases, but not in civil and family law matters.

21. Ms. BARE said that Canada had done much to assist women in developing countries, especially in the fields of education and training.

22. With regard to the Federal Plan for Gender Equality presented at the Fourth World Conference on Women, she asked what time-frame had been set, and what resources had been provided, for its implementation, and whether implementing agencies would be allowed to establish their own time-frames.

23. Ms. LIN Shangzhen commended the Government for its exhaustive and satisfactory replies to the Committee's questions, and noted that Canada also supported gender equality through its overseas development programmes; its Women in Development programme was one of the priority fields in her country, China.

24. With regard to aboriginal women's access to education and employment, she would be grateful for additional information on their fields of employment, levels of responsibility and participation in political and public life. The Government should indicate whether the federal and provincial governments had

introduced any special measures to integrate aboriginal women into the mainstream of Canadian society.

25. Ms. SCHÖPP-SCHILLING, recalling the delegation's statement that the Government valued the opinions of non-governmental organizations, suggested that it should follow the example set by the Government of Denmark in including the views of such organizations in an appendix to its report. Such a practice, which involved the translation of the organizations' reports into the official languages of the United Nations, was helpful to those members of the Committee whose first language was not English.

26. She endorsed the views expressed by Ms. González Martínez concerning the difficulty of assimilating the wealth of information provided in the two reports. The State party could facilitate the Committee's task by integrating the information on the programmes implemented at the provincial and federal levels.

27. It would also be useful if the Government could move beyond describing the steps taken and indicate what their impact had been in terms of both the number and the percentage of women affected. She would welcome further information on the amount budgeted for the renewed court challenges programme and whether that figure was higher or lower than under the previous programme.

28. The reporting State should clarify whether the Convention, which had been ratified by the federal Government, was binding also on the provincial governments, and whether the federal Government had any means of compelling the provincial governments to implement the Convention.

29. It was also unclear how court verdicts in class-action cases were translated into reality.

30. With regard to the economy, women appeared to be bearing the brunt of the restructuring of the Canadian welfare State. It would be interesting to learn to what extent the Government's efforts to place an economic value on housework had led to policy conclusions, for instance, in respect of the sharing of social security benefits in divorce cases.

31. The number of poor women in Canada was appalling; further details should be provided on the various assistance programmes for women living beneath the poverty line. It was difficult to understand why the welfare benefits provided to such women were sufficient only to bring them up to 60 per cent of the poverty line, and why single-parent families receiving medical benefits were required to pay part of the cost of medicines.

32. Lastly, it would be useful to have a full account of the impact of the federal equity legislation on the private sector, and to know whether any anti-discrimination legislation applied to that sector. While the 1995 review of the federal equity legislation had been a step forward in some respects, she failed to understand why it was now more difficult to bring complaints of systematic discrimination before the courts.

33. Ms. JAVATE DE DIOS said that the Government's citations of the jurisprudence developed in Canada had been useful in drawing the Committee's attention to the issues before the courts.

34. Canada's success in mainstreaming gender equality had set an important example for other countries; further details should be provided on how federal policies were implemented at the provincial level. It was also unclear whether the standards set by the Convention with regard to non-discrimination and equality were interpreted correctly and applied uniformly throughout the country.

35. She agreed with previous speakers that the Government's style of reporting was very complicated and made it difficult for the Committee to grasp the main trends and the gains and obstacles perceived in the implementation of the Convention. The reporting State should be more specific about the impact of its programmes, for instance, programmes to combat violence against women, particularly as they affected aboriginal and migrant women. It would be interesting to learn whether communities and homes were safer for women because of such programmes and whether they had led to changes in male behaviour.

36. As mentioned by Ms. Bustelo García del Real, the data on violence against prostitutes were alarming, and might be indicative of a backlash against the Government's anti-violence efforts.

37. Economic liberalization appeared to have had a somewhat negative impact on women; the Committee would appreciate receiving data on the number of women who were likely to lose their jobs and whether social safety nets were in place. Moreover, in the context of cutbacks, the Government should ensure continuity in the services provided by women's crisis centres.

38. While a number of measures had been adopted to ensure pay equity, they had been limited to a few provinces and to the public sector. It would be interesting to learn whether pay equity had really benefited women or whether it had had the opposite effect of reinforcing economic inequality.

39. Lastly, she would appreciate information on how new reproductive technologies were affecting women's decisions about having children.

40. Ms. FERRER GÓMEZ said that she, too, had found the report difficult to understand. In its next report, the Government should proceed by articles of the Convention and state which provinces had difficulties in implementing a particular article and which ones had adopted special measures for its implementation.

41. With regard to combatting poverty among women, it would be useful to learn whether any of the strategies recommended at the Fourth World Conference on Women had been implemented.

42. While only a small percentage of women held seats in Parliament, they could influence policy decisions; accordingly, it was important to sensitize them to gender issues.

43. Ms. CORTI said that the globalization of the economic crisis had affected Canada, the European countries and the developing countries alike, resulting in a temporary lack of political will with regard to issues affecting women. She was confident, however, that in view of Canada's strong record of defending women's rights both nationally and internationally, it would overcome any setbacks.

44. The CHAIRPERSON said that, while Canada had ranked first in quality of life according to the 1995 human development index, women continued to suffer from an inferior status. She was concerned at the significant rates of poverty among women; 60 per cent of single mothers lived below the poverty line, a statistic that would be worrisome even for a developing country. With women earning over 30 per cent less than men, it was difficult to understand why the Canadian Assistance Plan had been scaled back.

45. The status of aboriginal women was another source of concern; many aboriginal women were subjected to male violence, which did not always take the form of physical abuse. The lack of a specific law against domestic violence meant that such cases could not be addressed by the Criminal Code.

46. As over 80 per cent of adolescent births were to single mothers, the Committee would welcome additional information on the Government's efforts to assist young people in making sound decisions about their reproductive and sexual health. It would be interesting to learn whether and how the guidelines issued by Health Canada in 1994 had been implemented.

47. Ms. BERGERON de VILLIERS (Canada) said that a number of issues raised by the Committee would be dealt with in Canada's subsequent report. She had taken note of the Committee's reservations regarding the format of the report. Because of the federal nature of Canada's administrative structure, each province and territory had the prerogative but not the obligation to prepare the section of the report relating to its jurisdiction. Nevertheless, she hoped that in the future a way could be found to make such reports less disjointed.

48. Regarding the obligations that devolved on the provinces and territories in terms of the implementation of the Convention, she explained that under Canada's federal constitution powers were divided among the federal, provincial and territorial governments, each having the power to legislate on matters which directly concerned human rights. That division of powers had to be taken into account in the ratification and implementation by Canada of international human rights treaties and reporting on such treaties. However, the Federal Government had the exclusive constitutional power to ratify international treaties, and in a sense did not require the consent of any other jurisdiction in order to proceed. But at the same time the Federal Government did not have the power to legislate in many matters falling within the jurisdiction of the provinces and territories, and it was therefore forced to consult the provincial jurisdictions at all stages of the ratification, implementation and reporting process. Canada as a whole therefore had an obligation to implement its international human rights undertakings.

49. It was unfortunate that the report had left the Committee with the impression that social assistance in Canada had been abolished. The former social safety net had been replaced with a new system. All jurisdictions had

agreed that gender equality would be one of the key principles guiding any process of social reform, including the replacement of the former assistance programme with the new one. Furthermore, it had been decided that ministers responsible for the status of women had an important role to play in helping to decentralize power and transfer it to the provinces. It had also been determined that gender equality would have a place in defining the values, principles and objectives guiding any future transfer of power from the Federal Government to the provinces.

50. The Canadian Government had concluded that there was no need for a special law on the issue of violence against women. Such violence could be eradicated by strengthening the dispositions of existing statutes. Subsequent reports would certainly address the issue of violence against women more fully.

Ms. Bergeron de Villiers (Canada) withdrew.

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION (continued)

51. Ms. SCHÖPP-SCHILLING, speaking as the liaison person to the Human Rights Committee, said that she had exchanged experiences with members of that Committee and representatives of the Centre for Human Rights in Geneva. The Human Rights Committee had decided to harmonize its working procedures by preparing a list of issues both for initial and subsequent reports; in addition, it had decided to set aside three meetings to consider initial reports and two for subsequent reports.

52. The Human Rights Committee had also been able to complete its general comment on article 25 of the International Covenant on Civil and Political Rights regarding participation in the conduct of public affairs. It had also decided to update its general comment on article 3 of the Covenant regarding non-discrimination against women. Ms. Evatt, a former member of CEDAW, had been designated to coordinate work in that area and had also been designated liaison person to CEDAW. In addition, the Human Rights Committee intended to formulate two new general comments on article 2, the right to remedy, and article 12, the right of freedom of movement.

53. The Committee should also be aware that she had attended a human rights seminar in Germany where she had discussed the overlapping elements in the various human rights instruments and compared the working procedures of the various human rights committees. It had emerged from the seminar that a number of States Parties had complained about the time and effort they were required to devote to reporting procedures; it was even claimed that such procedures prevented government departments from carrying out their normal functions. The idea that States should submit a single report on all of their activities under the various human rights instruments had been put forward. She had expressed concern about such an approach, since it was precisely because women's issues had not been addressed by other human rights instruments that the Convention on the Elimination of All Forms of Discrimination against Women had been elaborated in the first place. She requested the Division for the Advancement of Women to keep the Committee informed of any possible developments in that sphere.

The meeting rose at 5.10 p.m.

UNITED NATIONS

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Sixteenth session

SUMMARY RECORD OF THE 331st MEETING

Held at Headquarters, New York,
on Wednesday, 29 January 1997, at 5:30 p.m.

Chairperson: Ms. KHAN

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IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION (continued)

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The meeting was called to order at 5.30 p.m.

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION (continued)

1. At the invitation of the Chairperson, Ms. Awori (Deputy Assistant Administrator and Deputy Director of the Bureau for Policy and Programme Support, United Nations Development Programme) and Ms. Heyzer (Director of the United Nations Development Fund for Women) took places at the Committee table.

2. The CHAIRPERSON recalled that, at the previous session, the Committee had emphasized the importance of strengthening its working relationship with the United Nations specialized agencies and programmes which focused on the implementation of the Convention. The Committee was particularly interested in forging a stronger relationship with the United Nations Development Programme (UNDP), and looked forward to cooperation with it in dealing with poverty and structural adjustment programmes, which were among the areas envisaged by the Beijing Declaration and Platform for Action. The Committee was especially interested in UNDP activities in countries whose reports it was considering. Moreover, the UNDP offices in various countries could help to publicize the Committee's work, thus contributing not only to the fulfilment of the Committee's mandate, but also to strengthening the foundation of sustainable development.

3. The United Nations Development Fund for Women (UNIFEM) was the only specialized body which had a mandate for the advancement of women with a focus on women's human rights. One year after the adoption of the Beijing Declaration and Platform for Action, it was time to monitor the implementation of the commitments made by Governments; the Committee would need the cooperation of UNIFEM in order to play that role more effectively. UNIFEM could also assist the Committee by disseminating information on the Convention and the Platform for Action. The Committee's new role, as mandated by paragraphs 322 and 323 of the Platform for Action, made it necessary to obtain more information from local sources. In considering country reports, the Committee needed to be aware of the situation in each country and the major obstacles to be addressed. UNIFEM could be instrumental in initiating the positive changes that needed to take place in a country following its ratification of the Convention, in a manner similar to the role played by the United Nations Children's Fund (UNICEF) in relation to the Convention on the Rights of the Child.

4. Ms. AWORI (Deputy Assistant Administrator and Deputy Director of the Bureau for Policy Programme Support, United Nations Development Programme) said that UNDP had a two-pronged approach to the empowerment of women and the elimination of sex discrimination, namely building country capacity in order to strengthen the legal framework for gender equality in the 134 countries to which UNDP provided assistance and improving women's access to resources and decision-making.

5. The primary objective of UNDP was the elimination of poverty which was the most serious challenge faced by the majority of the world's women. As stated in the Beijing Declaration, the eradication of poverty required the full and equal participation of women and men as agents and beneficiaries of people-centred sustainable development.

6. The Beijing Platform for Action had marked a major shift in emphasis. Women were no longer viewed merely as reproductive agents, but also as major economic actors. That shift had generated an increasing demand for research and data on women and work in order to support policy analysis and planning. UNDP deemed it essential to strengthen statistical and data bases in order to overcome the unequal valuation of women's paid and unpaid labour.

7. The 1995 Human Development Report had shown that, despite the major strides made over the past half-century in narrowing the gap between men's and women's capabilities, the economic and political opportunities for women remained restricted. The UNDP Gender in Development Programme, Human Development Report Office and Regional Bureaux were collaborating with statistical offices in countries that had requested assistance in strengthening their labour and production statistics. UNDP looked forward to receiving requests for such assistance from Member States. Such work went beyond household labour; it included subsistence-sector family labour, which was essential to poverty elimination strategies and food security, informal-sector activities, home work, which was increasing with globalization and new technologies and self-employed and voluntary work.

8. In endeavouring to place people at the centre of development, UNDP had been obliged to question the exclusion of economic factors vital to the achievement of sustainable and balanced development. One such factor was social capital, in other words, a nation's stock of cooperation, trust, love, networks and organizations which, if not present, made life in a country unbearable. Currently, those factors had no economic value.

9. Women predominated in the "care economy", which tended to be unpaid or undervalued, and which men tended to avoid because of its low status. Power was by far the most valued principle; those who exercised power were deemed to be successful, while caring for family or the elderly was not considered a mark of success. Such values were held by both men and women. Given the current scheme of values, it was unlikely that the full implications of the care economy for macroeconomic policy would be taken into account.

10. UNDP had taken the first step in bringing human values into the economic equation. She drew attention to a booklet entitled Sustainable Human Development and Macroeconomics which was distributed by UNDP country offices. The challenge facing women was to examine those new concepts, discuss them with male colleagues and governments and find ways to ensure their recognition.

11. Ms. HEYZER (Director, United Nations Development Fund for Women), after paying tribute to the former Chairperson, Ms. Corti, for her tireless advocacy on behalf of the Convention and the Committee, said that the Beijing Conference had given UNIFEM a mandate to review and strengthen its work in the light of the recommendations contained in the Platform for Action, and to focus on women's political and economic empowerment. In the context of its Programme on Women's Human Rights (UNIFEM) had developed a strong action plan for 1997-1998 which recognized that the Convention constituted a "bill of rights" for women.

12. The Programme focused on three main areas: mainstreaming women's human rights into the United Nations human rights mechanisms, eradicating violence against women and promoting the Convention. In that context, UNIFEM had

identified several key objectives, namely, increasing coordination between United Nations bodies working to strengthen the Convention, achieving universal ratification of the Convention, supporting the withdrawal of reservations, strengthening the work of the Committee and supporting the withdrawal of reservations, strengthening the work of the Committee and supporting the development of an optional protocol to the Convention. UNIFEM was working with women's organizations to develop ways in which they could use the Convention in their advocacy work.

13. Specifically, UNIFEM sought to provide technical assistance to groups working for women's human rights by facilitating exchanges between members of the Committee and non-governmental organizations and supporting the participation of women's rights advocates in national, regional and international meetings. UNIFEM also supported the dissemination of action-oriented information on the Convention and the Committee to women's groups and United Nations agencies through training workshops, the fostering of partnerships and exchanges between experts in different regions, and the dissemination of best practices regarding the Convention and the Committee's work.

14. Among the organizations of the United Nations system, UNIFEM was uniquely suited to working with the non-governmental community and the Committee in mobilizing support for the Convention. Its Regional Programme Advisers in developing countries were often called upon to serve as mediators between women's organizations, governments and other members of the United Nations system. The Fund's commitment to enhancing its collaboration with such partners as the Division for the Advancement of Women, UNICEF, the United Nations Population Fund and UNDP also strengthened the effectiveness of its work.

15. During the current session of the Committee, UNIFEM and the International Women's Rights Action Watch for Asia and the Pacific had undertaken a pilot project to bring eight observers from six countries whose reports were or would soon be under consideration by the Committee to New York for one week. The aim of the project had been to strengthen the observers' understanding of the Convention and the Committee's working methods and to raise their awareness of ways in which they could support the Committee and its work. Several participants in the project had brought with them independent, alternative information prepared by their non-governmental organizations which she hoped had proved useful to the Committee.

16. Since the Beijing Conference, there had been an increasing demand on the part of women's non-governmental organizations for more information and training in relation to the Convention. In that context, she looked forward to the outcome of the Committee's debate on ways and means of expediting its work.

17. Ms. CORTI said that the cooperation of UNIFEM had been very important for the pilot project under which, for the first time, women from various non-governmental organizations had attended the session of the Committee; those women could carry out valuable advocacy work for the Convention when they returned to their countries. Since some of the countries in which UNDP was active still had not ratified the Convention, she hoped that UNDP would join the advocacy efforts of UNIFEM in that area, which had been very effective. UNDP

should also join UNIFEM in working to persuade countries to withdraw their reservations to the Convention.

18. Ms. SCHÖPP-SCHILLING said that UNIFEM had taken a very important initiative in bringing to Headquarters, to observe the current session, women from countries whose reports the Committee would consider in the near future. Since the reports of some countries were as much as 15 years overdue, the Committee would try, at its next session, to devise a procedure for encouraging countries to overcome the obstacles that prevented them from preparing their reports. She hoped that UNIFEM and UNDP would help to address that situation, which was of serious concern.

19. The reports considered at the current session showed that even some highly developed countries did not clearly understand how to present their reports. The Committee could not evaluate a country's situation unless information was provided not only on the efforts undertaken, in terms of government programmes and policies, but also on their impact, in terms of the percentage of women affected by each measure. She asked UNIFEM and UNDP to address that issue in their efforts to assist States parties in the preparation of reports.

20. She wanted more information on the work of UNDP in identifying methods of recognizing women's work in the home. It was extremely important to show how much work was done by women and to find ways to make that contribution visible. On the other hand, experience in some European countries had shown that the valuation of women's work in the home could become a symbolic policy issue, insofar as little monetary value was attached to such work. The valuation process was not intended to create a society in which all caregiving work must be paid for at its market value, but it should have some practical consequences. However, there was a danger that conservative forces could treat the process as an end in itself and avoid taking action. It was therefore necessary to ensure that women's unpaid work was always evaluated within a policy framework so that the findings would have a direct impact in areas such as divorce law and women's access to pension benefits, credit and training.

21. Ms. ABAKA asked whether UNIFEM was in a position to implement the programmes it envisaged, since it was severely under-funded. Non-governmental organizations and women in developing countries were especially appreciative of UNIFEM because of its grass-roots programmes and the importance of its presence. However, UNIFEM was under-represented in those countries; for example, only one UNIFEM representative was assigned to cover the entire West African subregion. She asked whether UNDP was planning any initiatives to enhance the status and increase the funding of UNIFEM so that it could promote the Convention on the Elimination of all Forms of Discrimination against Women as effectively as UNICEF promoted the Convention on the Rights of the Child.

22. Ms. ESTRADA CASTILLO said that she agreed with the representative of UNDP that democracy was a prerequisite for the achievement of equality and equity and that education and awareness, in turn, were prerequisites for democracy. She therefore asked UNDP and UNIFEM to consider the possibility of implementing large-scale education and information programmes, especially in developing countries. She hoped that, despite their financial difficulties, the regional offices of UNIFEM would make efforts to increase their valuable assistance to Governments and non-governmental organizations.

23. Ms. TALLAWY said that some of the country reports under consideration at the Committee's current session had shown that a backlash against women's programmes had emerged in both developed and developing countries, under the pretext of economic restructuring and the abolition of the welfare system, and was very detrimental to the situation of women in general and poor women in particular. She hoped that UNDP and UNIFEM would pay due attention to that concern in their country reports and project evaluations and that they would undertake consciousness-raising efforts to sensitize decision-makers in that regard. She was concerned about the financial situation of UNIFEM, which had also suffered from that backlash, and hoped that its budget, staffing and activities could be increased.

24. Ms. AWORI (Deputy Assistant Administrator and Deputy Director of the Bureau for Policy and Programme Support, United Nations Development Programme) said that she was aware of the problems posed by cutbacks in initiatives for women, notably in the countries of the Commonwealth of Independent States. Many UNDP programmes focused on supporting the women's institutions that remained in those countries. UNDP collaborated closely with UNIFEM and sought to strengthen the latter without compromising its obligation to comply with international conventions and General Assembly recommendations. Each UNDP country office had a gender focal point who was responsible for ensuring that the Programme's work was gender-sensitive. She encouraged the Committee members to be outspoken in expressing their concerns to the UNDP resident representatives in their countries. Lastly, UNDP was implementing a major programme on governance and democracy, one of whose objectives was to ensure that new democratic systems provided for the full participation of women.

25. Ms. HEYZER (Director, United Nations Development Fund for Women) said that UNIFEM and UNDP had developed cooperation mechanisms to strengthen their partnership. UNIFEM focused on investing its scant resources in critical areas in order to bring about systemic changes for the benefit of women. It also sought to innovate and to mainstream the lessons drawn from such innovation, as well as women's values and vision of the future. Its efforts for the economic and political empowerment of women took place in three areas; building women's economic strength and capacity, especially with regard to economic globalization and new technologies; governance and leadership, to shape decision-making on issues affecting women; and women's human rights (including political, social and economic rights and the right to health and development).

26. UNIFEM also identified opportunities and barriers for women's advancement in the countries in which it was active, which presented a wide variety of market conditions and political situations. It was especially important for women in countries which were making the transition to democracy or to a market economy to be involved in the creation of new institutions and new forms of participation. It was also important to set up accountability mechanisms based on legal provisions, including the Convention, and to ensure that the Convention was taken as seriously as the Convention on the Rights of the Child. Cultural traditions should not impede the observance of women's rights, since they did not impede the observance of children's rights.

The meeting rose at 6.20 p.m.